

1                   A bill to be entitled  
2           An act relating to gaming; providing a short title;  
3           creating s. 11.93, F.S.; creating the Joint  
4           Legislative Gaming Control Nominating Committee to be  
5           governed by joint rules of the Legislature; providing  
6           for membership and organization; providing procedures  
7           for nomination of candidates for membership on the  
8           Gaming Control Commission; providing that commission  
9           members shall be appointed by the Governor subject to  
10          confirmation by the Senate; amending s. 20.165, F.S.;  
11          removing a provision establishing the Division of  
12          Pari-mutuel Wagering of the Department of Business and  
13          Professional Regulation; creating s. 20.222, F.S.;  
14          creating the Department of Gaming Control; providing  
15          that the commission is head of the department;  
16          providing for appointment of an executive director;  
17          authorizing the Governor to appoint an interim  
18          executive director under certain circumstances;  
19          providing for organization of the department; amending  
20          s. 110.205, F.S., relating to the career service  
21          system; exempting certain positions of the department  
22          and the commission; amending s. 120.80, F.S.; removing  
23          provisions relating to exemptions to the hearing and  
24          notice requirements for the Division of Pari-mutuel  
25          Wagering in the Department of Business and  
26          Professional Regulation; providing exemptions to

27 | certain hearing and notice requirements for the  
28 | Department of Gaming Control; directing the department  
29 | to adopt rules; amending s. 285.710, F.S., relating to  
30 | the Gaming Compact between the Seminole Tribe of  
31 | Florida and the State of Florida; specifying the  
32 | commission as the state compliance agency; amending s.  
33 | 285.712, F.S.; correcting a reference; transferring  
34 | the Division of Pari-mutuel Wagering and the Pari-  
35 | mutuel Wagering Trust Fund within the Department of  
36 | Business and Professional Regulation to the Department  
37 | of Gaming Control; providing a short title; creating  
38 | s. 546.10, F.S., relating to amusement games or  
39 | machines; providing definitions; providing  
40 | applicability; authorizing amusement games or machines  
41 | in conformance with specified provisions; authorizing  
42 | direct receipt of merchandise under certain  
43 | circumstances; providing a cap on the redemption value  
44 | of points or coupons; requiring the Department of  
45 | Revenue to recalculate and publish the cap annually;  
46 | providing for enforcement actions; amending s.  
47 | 550.002, F.S.; revising and providing definitions;  
48 | revising the definition of the term "full schedule of  
49 | live racing or games"; defining the term "historical  
50 | racing system" as used in the Florida Pari-mutuel  
51 | Wagering Act; amending s. 550.01215, F.S.; revising  
52 | provisions for applications for pari-mutuel operating

53 licenses; authorizing a greyhound racing permitholder  
54 to indicate on the application that it will operate  
55 less than a full schedule of live performances;  
56 authorizing a greyhound racing permitholder to receive  
57 an operating license to conduct pari-mutuel wagering  
58 activities at another permitholder's greyhound racing  
59 facility; removing a provision for conversion of  
60 certain converted permits to jai alai permits;  
61 amending s. 550.054, F.S.; providing for revocation of  
62 a pari-mutuel permit under certain circumstances;  
63 prohibiting transfer of a pari-mutuel permit or  
64 license; revising provisions for conversion of a  
65 permit from jai alai to greyhound racing; requiring an  
66 application or request for relocation be denied;  
67 repealing s. 550.0555, F.S., relating to relocation of  
68 greyhound racing permits; amending s. 550.0745, F.S.;  
69 revising provisions for a summer jai alai permit that  
70 was converted under specified provisions; amending s.  
71 550.0951, F.S.; removing provisions for certain  
72 credits for a greyhound permitholder; revising the tax  
73 on handle for live greyhound racing and intertrack  
74 wagering if the host track is a dog track; requiring  
75 licensees conducting historical racing to pay certain  
76 taxes and fees; providing for use of fees collected;  
77 amending s. 550.09512, F.S.; removing provisions  
78 relating to reissuance of escheated thoroughbred

79 racing permits; amending s. 550.09514, F.S.; removing  
80 certain provisions that prohibit tax on handle until a  
81 specified amount of tax savings have resulted;  
82 revising purse requirements of a greyhound  
83 permitholder that conducts live racing; amending s.  
84 550.09515, F.S.; removing provisions relating to  
85 reissuance of escheated thoroughbred racing permits;  
86 amending s. 550.1625, F.S.; removing the requirement  
87 that a greyhound permitholder pay the daily license  
88 fee or the breaks tax; repealing s. 550.1647, F.S.,  
89 relating to unclaimed tickets and breaks held by  
90 greyhound permitholders; amending s. 550.1648, F.S.;  
91 revising requirements for a greyhound permitholder to  
92 provide a greyhound adoption booth at its facility;  
93 defining the term "bona fide organization that  
94 promotes or encourages the adoption of greyhounds";  
95 requiring sterilization of greyhounds before adoption;  
96 removing provisions relating to charity racing days;  
97 amending s. 550.2415, F.S.; revising the prohibition  
98 on the use of certain medications or substances on  
99 racing animals; authorizing the department to solicit  
100 input from the Department of Agriculture and Consumer  
101 Services; revising the penalties for violating laws  
102 relating to the racing of animals; decreasing the  
103 timeframe in which prosecutions for violations  
104 regarding racing animals must commence; revising the

105 | procedures for testing racing animals; requiring the  
106 | department to notify the owners or trainers, stewards,  
107 | and the appropriate horsemen's association of all drug  
108 | test results; prohibiting the department from taking  
109 | action against owners or trainers under certain  
110 | circumstances; requiring the department to require its  
111 | laboratory and specified independent laboratories to  
112 | annually participate in a quality assurance program;  
113 | requiring the administrator of the program to submit a  
114 | report; revising the conditions of use for certain  
115 | medications; revising the rulemaking authority of the  
116 | department; creating s. 550.2416, F.S.; requiring  
117 | injuries to racing greyhounds to be reported on a form  
118 | adopted by the Division of Pari-mutuel Wagering in the  
119 | Department of Business and Professional Regulation  
120 | within a certain timeframe; specifying information  
121 | that must be included in the form; requiring the  
122 | division to maintain the forms as public records for a  
123 | specified time; specifying disciplinary action that  
124 | may be taken against a licensee of the department who  
125 | fails to report an injury or who makes false  
126 | statements on an injury form; exempting injuries to  
127 | certain animals from reporting requirements; requiring  
128 | the division to adopt rules; amending s. 550.26165,  
129 | F.S.; conforming provisions to changes made by the  
130 | act; amending s. 550.3551, F.S.; removing a provision

131 that limits the number of out-of-state races on which  
132 wagers are accepted by a greyhound permitholder;  
133 removing greyhound permitholders from a live racing  
134 requirement; amending s. 550.615, F.S.; revising  
135 provisions relating to intertrack wagering on  
136 greyhound racing; amending s. 550.6305, F.S.; revising  
137 provisions requiring certain simulcast signals be made  
138 available to certain permitholders; amending s.  
139 550.6308, F.S.; revising the number of days of  
140 thoroughbred horse sales required to obtain a limited  
141 intertrack wagering license; revising provisions for  
142 such wagering; creating s. 550.81, F.S.; providing for  
143 certain licensees to operate historical racing;  
144 providing conditions for such operation; providing for  
145 oversight by the department; providing for rules;  
146 providing for distribution of certain unclaimed funds;  
147 redesignating chapter 551, F.S., as the "Florida  
148 Gaming Control Act"; designating ss. 551.101-551.123,  
149 F.S., as part I of chapter 551, F.S., entitled "Slot  
150 Machines"; amending s. 551.102, F.S.; revising  
151 definitions relating to slot machines; defining the  
152 term "department"; redefining the term "eligible  
153 facility"; amending s. 551.104, F.S.; revising  
154 provisions for approval of a license to conduct slot  
155 machine gaming; specifying that a greyhound  
156 permitholder is not required to conduct a full

157 | schedule of live racing to maintain a license to  
158 | conduct slot machine gaming; amending s. 551.106,  
159 | F.S.; revising the tax rate on slot machine revenues  
160 | under certain conditions; amending s. 551.114, F.S.;  
161 | authorizing a greyhound permitholder to locate its  
162 | slot machine gaming area in certain locations;  
163 | amending s. 551.116, F.S.; revising the times that a  
164 | slot machine gaming area may be open; designating ss.  
165 | 551.201-551.231, F.S., as part II of chapter 551,  
166 | F.S., entitled "Destination Resorts"; creating s.  
167 | 551.201, F.S.; providing a short title; creating s.  
168 | 551.202, F.S.; providing definitions; creating s.  
169 | 551.204, F.S.; specifying the powers and duties of the  
170 | department; directing the department to establish and  
171 | collect certain fees and keep and certify records of  
172 | proceedings; authorizing the department to take  
173 | testimony and issue summons and subpoenas, require or  
174 | permit a person to file a statement in writing  
175 | concerning certain matters, take enforcement actions,  
176 | apply for relief in court, and establish field  
177 | offices; specifying the jurisdiction and authority of  
178 | the department, the Department of Law Enforcement, and  
179 | local law enforcement agencies to investigate criminal  
180 | violations and enforce compliance with law;  
181 | authorizing the department to collect taxes,  
182 | assessments, fees, and penalties; requiring the

183 department to revoke or suspend the license of a  
184 person who was unqualified at the time of licensure or  
185 who is no longer qualified to be licensed; creating s.  
186 551.205, F.S.; directing the department to administer  
187 limited gaming provisions and regulate limited gaming;  
188 authorizing the department to adopt certain rules to  
189 carry out its duties; authorizing the department to  
190 adopt emergency rules; exempting the emergency rules  
191 from specified provisions of the Administrative  
192 Procedure Act; creating s. 551.206, F.S.; preempting  
193 the regulation of limited gaming at a destination  
194 resort to the state; creating s. 551.2065, F.S.;  
195 requiring waiver of sovereign immunity for certain  
196 entities; creating s. 551.207, F.S.; restricting the  
197 award of resort licenses by the department; providing  
198 requirements for a referendum; requiring limited  
199 gaming to be conducted in a designated limited gaming  
200 floor; authorizing participation in gaming at a  
201 licensed resort; creating s. 551.208, F.S.;  
202 authorizing the department to authorize limited gaming  
203 and issue licenses for a limited number of destination  
204 resorts; requiring the department to use a request for  
205 proposals process to award a resort license; providing  
206 criteria, procedures, and deadlines; creating s.  
207 551.209, F.S.; specifying the criteria for evaluation  
208 of applications and award of a destination resort



209 license; specifying events that disqualify an  
210 applicant from eligibility for a resort license;  
211 providing definitions; creating s. 551.21, F.S.;  
212 providing for application for a destination resort  
213 license; specifying the information that must be on or  
214 included with an application for a resort license;  
215 requiring fingerprints of certain persons; providing  
216 that the department is the sole authority for  
217 determining the information or documentation that must  
218 be included in an application; providing procedures  
219 for an application determined incomplete by the  
220 department; requiring supplemental information  
221 regarding changes to information on the application;  
222 providing for application fees for a resort license to  
223 defray the costs of review and an investigation of the  
224 applicant; providing a fee; providing for refund of  
225 the fee under certain circumstances; creating s.  
226 551.212, F.S.; exempting an institutional investor  
227 that is a qualifier for a resort licensee from certain  
228 application requirements under certain circumstances;  
229 requiring notice to the department of any changes that  
230 may require a person to comply with the full  
231 application requirements; creating s. 551.213, F.S.;  
232 exempting lending institutions and underwriters from  
233 licensing requirements as a qualifier under certain  
234 circumstances; creating s. 551.214, F.S.; specifying

235 conditions for a resort licensee to maintain  
236 licensure; authorizing the department to adopt rules  
237 relating to approval of the licensee's computer  
238 system; creating s. 551.215, F.S.; requiring that the  
239 licensee post a bond; authorizing the department to  
240 adopt rules relating to such bonds; creating s.  
241 551.216, F.S.; specifying conditions for the conduct  
242 of limited gaming by a resort licensee; providing  
243 hours and days of operation and the setting of minimum  
244 and maximum wagers; requiring the department to renew  
245 the license of a resort licensee if the licensee  
246 satisfies specified conditions; creating s. 551.2165,  
247 F.S.; defining the term "exhibition hall"; prohibiting  
248 an exhibition hall in a destination resort; creating  
249 s. 551.217, F.S.; specifying an annual fee for the  
250 renewal of a resort license; imposing a gross receipts  
251 tax; requiring a surcharge if specified revenues  
252 decrease; providing for a proportionate share to be  
253 paid by each destination resort licensee; providing  
254 for the disposition of funds collected; creating s.  
255 551.218, F.S.; creating penalties for noncompliance;  
256 creating s. 551.219, F.S.; providing procedures for  
257 the submission and processing of fingerprints;  
258 providing that the cost of processing the fingerprints  
259 shall be borne by a licensee or applicant; requiring a  
260 person to report to the department certain pleas and

261 convictions for disqualifying offenses; creating s.  
262 551.221, F.S.; requiring a person to have a supplier  
263 license to furnish certain goods and services to a  
264 resort licensee; providing for application; providing  
265 for license fees to be set by rule based on certain  
266 criteria; requiring fingerprinting; specifying persons  
267 who are ineligible for supplier licensure; specifying  
268 circumstances under which the department may deny or  
269 revoke a supplier license; authorizing the department  
270 to adopt rules relating to the licensing of suppliers;  
271 requiring a supplier licensee to furnish a list of  
272 gaming devices and equipment to the department,  
273 maintain records, file quarterly returns, and affix  
274 its name to the gaming equipment and supplies that it  
275 offers; requiring that the supplier licensee annually  
276 report its inventory to the department; authorizing  
277 the department to suspend, revoke, or restrict a  
278 supplier license under certain circumstances;  
279 providing that the equipment of a supplier licensee  
280 which is used in unauthorized gaming will be forfeited  
281 to the county where the equipment is found; providing  
282 criminal penalties for a person who knowingly makes a  
283 false statement on an application for a supplier  
284 license; creating s. 551.222, F.S.; requiring a person  
285 to have an occupational license to serve as a limited  
286 gaming employee of a resort licensee; requiring a

287 person to apply to the department for an occupational  
288 license and pay an application fee; specifying  
289 information that an applicant must include in an  
290 application for an occupational license, including  
291 fingerprints; providing eligibility requirements;  
292 specifying grounds for the department to deny,  
293 suspend, revoke, or restrict an occupational license;  
294 authorizing training to be conducted at certain  
295 facilities; providing criminal penalties for a person  
296 who knowingly makes a false statement on an  
297 application for an occupational license; creating s.  
298 551.223, F.S.; authorizing the executive director of  
299 the department to issue a temporary occupational or  
300 temporary supplier license under certain  
301 circumstances; creating s. 551.225, F.S.; requiring  
302 the department to file quarterly reports; creating s.  
303 551.227, F.S.; providing procedures for the resolution  
304 of certain disputes between a resort licensee and a  
305 patron; requiring a resort licensee to notify the  
306 department of certain disputes; requiring a resort  
307 licensee to notify a patron of the right to file a  
308 complaint with the department regarding certain  
309 disputes; authorizing the department to investigate  
310 disputes and to order a resort licensee to make a  
311 payment to a patron; creating s. 551.228, F.S.;

312 providing for a licensee to accept and enforce credit

313 instruments; creating s. 551.230, F.S.; requiring a  
314 resort licensee to train its employees about  
315 compulsive gambling; requiring a resort licensee to  
316 work with a compulsive gambling prevention program;  
317 requiring the department to contract for services  
318 relating to the prevention of compulsive gambling;  
319 providing for the department's compulsive gambling  
320 prevention program to be funded from a regulatory fee  
321 imposed on resort licensees; creating s. 551.231,  
322 F.S.; authorizing a person to request that the  
323 department exclude him or her from limited gaming  
324 facilities; providing for a form and contents of the  
325 form; providing that a self-excluded person who is  
326 found on a gaming floor may be arrested and prosecuted  
327 for criminal trespass; providing that a self-excluded  
328 person holds harmless the department and licensees  
329 from claims for losses and damages under certain  
330 circumstances; requiring the person to submit  
331 identification issued by the government; requiring the  
332 department to photograph the person requesting self-  
333 exclusion; creating part III of chapter 551, F.S.,  
334 entitled "Cardrooms"; transferring, renumbering, and  
335 amending s. 849.086, F.S.; revising times a cardroom  
336 may operate; specifying that a greyhound permitholder  
337 is not required to conduct a minimum number of live  
338 racing in order to receive, maintain, or renew a

339 cardroom license; requiring a greyhound permitholder  
340 to conduct intertrack wagering on greyhound signals to  
341 operate a cardroom; creating part IV of chapter 551,  
342 F.S., entitled "FLORIDA GAMING CONTROL"; creating s.  
343 551.401, F.S.; defining terms; creating s. 551.402,  
344 F.S.; creating the Gaming Control Commission;  
345 providing for membership and organization; prohibiting  
346 lobbying by the members of the commission; specifying  
347 the commission as the agency head of the department;  
348 providing for an executive director of the department  
349 to be appointed by the commission; providing for  
350 financial control of department funds; directing the  
351 commission to appoint an inspector general; creating  
352 s. 551.403, F.S.; providing powers and duties of the  
353 commission; directing the commission to adopt rules;  
354 creating s. 551.404, F.S.; providing for application  
355 of the code of ethics for public officers and  
356 employees under specified provisions; prohibiting  
357 certain acts and relationships; providing procedures  
358 for when a commission member or an employee or  
359 prospective employee is charged or convicted of a  
360 criminal act; creating s. 551.405, F.S.; defining the  
361 term "ex parte communication"; prohibiting ex parte  
362 communication with a commission member; providing  
363 procedures for disclosure of such communication;  
364 providing penalties and authorizing the Commission on

365 Ethics to enforce penalties; directing the Commission  
366 on Ethics to investigate complaints and report its  
367 findings to the Governor and the nominating committee;  
368 restricting appearance before the Gaming Control  
369 Commission of a person determined to have participated  
370 in ex parte communication; creating s. 551.406, F.S.;  
371 providing penalties for violations of specified  
372 provisions by commission members and department  
373 employees; providing a reorganization implementation  
374 process; prohibiting the Division of Pari-mutuel  
375 Wagering of the Department of Business and  
376 Professional Regulation and the Department of Gaming  
377 Control from authorizing the expansion of gambling;  
378 defining the term "expansion of gambling"; amending s.  
379 561.20, F.S.; exempting destination resorts from  
380 certain limitations on the number of licenses to sell  
381 alcoholic beverages which may be issued; providing  
382 restrictions on a resort issued such license;  
383 requiring an annual state license tax to be paid by a  
384 resort for such license; providing for deposit of  
385 proceeds from the tax; preempting to the state the  
386 regulation of alcoholic beverages at destination  
387 resorts; specifying times during which alcoholic  
388 beverages may be sold at a resort; directing the  
389 Division of Alcoholic Beverages and Tobacco to adopt  
390 rules; providing recordkeeping requirements; amending

391 s. 849.15, F.S.; authorizing slot machine gaming in  
 392 the facility of a resort licensee and the  
 393 transportation of slot machines pursuant to federal  
 394 law; providing for application of specified  
 395 prohibitions of certain gaming devices; repealing s.  
 396 849.161, F.S., relating to amusement games or  
 397 machines; amending s. 849.231, F.S.; providing that a  
 398 prohibition on gambling devices does not apply to  
 399 resort licensees as authorized under specified  
 400 provisions; amending s. 550.0115, 550.0235, 550.0251,  
 401 550.0351, 550.054, 550.0651, 550.09511, 550.105,  
 402 550.1155, 550.125, 550.135, 550.155, 550.175,  
 403 550.1815, 550.235, 550.24055, 550.2614, 550.2625,  
 404 550.26352, 550.2704, 550.334, 550.3345, 550.3355,  
 405 550.3615, 550.375, 550.495, 550.505, 550.5251,  
 406 550.625, 550.70, 551.103, 551.1045, 551.105, 551.106,  
 407 551.107, 551.108, 551.109, 551.112, 551.114, 551.117,  
 408 551.118, 551.121, 551.122, and 551.123, F.S., relating  
 409 to pari-mutuel wagering and slot machine operations;  
 410 conforming provisions to changes made by the act;  
 411 providing severability; providing effective dates.

412

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

414

415 Section 1. This act may be cited as the "Florida Gaming  
 416 Control Act of 2015."



417 Section 2. Section 11.93, Florida Statutes, is created to  
 418 read:

419 11.93 Joint Legislative Gaming Control Nominating  
 420 Committee; qualifications of Gaming Control Commission members.—

421 (1) The Joint Legislative Gaming Control Nominating  
 422 Committee is created, consisting of six members.

423 (a) The committee shall be composed of three members of  
 424 the Senate appointed by the President of the Senate and three  
 425 members of the House of Representatives appointed by the Speaker  
 426 of the House of Representatives. Each member shall serve at the  
 427 pleasure of the presiding officer who appointed the member. A  
 428 committee vacancy shall be filled in the same manner as the  
 429 original appointment.

430 (b) The President of the Senate shall appoint the chair of  
 431 the committee in even-numbered years and the vice chair in odd-  
 432 numbered years, and the Speaker of the House of Representatives  
 433 shall appoint the chair of the committee in odd-numbered years  
 434 and the vice chair in even-numbered years, from among the  
 435 committee membership.

436 (c) The terms of committee members shall be 2 years and  
 437 coincide with the 2-year elected terms of members of the House  
 438 of Representatives.

439 (2) The committee shall be governed by joint rules of the  
 440 Senate and the House of Representatives and shall convene as  
 441 necessary to carry out its responsibilities under this section.

442 (3) (a) The committee shall nominate to the Governor three

443 persons for each of the five positions on the Gaming Control  
444 Commission and any vacancy occurring on the commission. The  
445 committee shall submit the nominations to the Governor by  
446 September 15 of those years in which the terms are to begin the  
447 following January or within 60 days after a vacancy occurs for  
448 any reason other than expiration of a term.

449 (b) A person may not be nominated to the Governor for  
450 appointment to the Gaming Control Commission until after a  
451 background investigation of the person is conducted by the  
452 Department of Law Enforcement and the committee determines that  
453 the person is qualified to hold the position. The committee may  
454 not nominate to the Governor a person who holds any office in a  
455 political party, who has been convicted of a felony, or who has  
456 been convicted of a misdemeanor related to gambling within the  
457 previous 10 years. One member of the Gaming Control Commission  
458 must be an attorney, one member must be a certified public  
459 accountant, and three members must be competent and  
460 knowledgeable in one or more of the following fields: economics,  
461 economic development, public health, technology, tourism, or  
462 another field substantially related to the duties and functions  
463 of the commission.

464 (4) The Governor shall fill each vacancy on the Gaming  
465 Control Commission by appointment of one of the persons  
466 nominated by the committee. If the Governor has not made an  
467 appointment within 30 consecutive calendar days after receipt of  
468 the committee's nominations, the committee, by majority vote,

469 shall appoint, within 30 days after the expiration of the  
470 Governor's time to make an appointment, one of the persons  
471 previously nominated to the Governor to fill the vacancy.

472 (5) Each appointment to the Gaming Control Commission is  
473 subject to confirmation by the Senate. If the Senate refuses to  
474 confirm or fails to consider the Governor's appointment at the  
475 next regular session of the Legislature after the appointment is  
476 made, the committee shall initiate the nominating process within  
477 30 days.

478 (6) The committee shall be staffed by legislative staff as  
479 assigned by the President of the Senate and the Speaker of the  
480 House of Representatives.

481 Section 3. Effective October 1, 2015, paragraph (g) of  
482 subsection (2) of section 20.165, Florida Statutes, is amended  
483 to read:

484 20.165 Department of Business and Professional  
485 Regulation.—There is created a Department of Business and  
486 Professional Regulation.

487 (2) The following divisions of the Department of Business  
488 and Professional Regulation are established:

489 ~~(g) Division of Pari-mutuel Wagering.~~

490 Section 4. Effective July 1, 2015, section 20.222, Florida  
491 Statutes, is created to read:

492 20.222 Department of Gaming Control.—The Department of  
493 Gaming Control is created. The head of the department is the  
494 Gaming Control Commission created under s. 551.402.

495 (1) Effective October 1, 2015, the department, under the  
 496 Gaming Control Commission, is responsible for implementation,  
 497 administration, and enforcement of chapters 550 and 551 and any  
 498 other provisions as provided by law.

499 (2) (a) The Gaming Control Commission shall appoint an  
 500 executive director of the department who shall serve at the  
 501 pleasure of the commission. However, whenever necessary, the  
 502 Governor may appoint an interim executive director of the  
 503 department to serve until a permanent executive director is  
 504 appointed by the Gaming Control Commission.

505 (b) The operations of the department shall be organized  
 506 into six divisions, as follows:

- 507 1. The Division of Administration.
- 508 2. The Division of Auditing and Tax Collections.
- 509 3. The Division of Enforcement.
- 510 4. The Division of Investigations.
- 511 5. The Division of Licensing and Permitting.

512 (c) Each division shall be headed by a director, appointed  
 513 by the executive director, with approval by the commission.

514 (d) The Gaming Control Commission may create bureaus  
 515 within the divisions and allocate the various functions of the  
 516 department among such divisions and bureaus.

517 Section 5. Effective July 1, 2015, paragraph (y) is added  
 518 to subsection (2) of section 110.205, Florida Statutes, to read:

519 110.205 Career service; exemptions.—

520 (2) EXEMPT POSITIONS.—The exempt positions that are not

521 covered by this part include the following:

522 (y) The executive director, any deputy executive  
523 directors, the general counsel, attorneys, official reporters,  
524 and division directors within the Department of Gaming Control  
525 and the Gaming Control Commission. Unless otherwise fixed by  
526 law, the salary and benefits of the executive director, deputy  
527 executive directors, general counsel, attorneys, and division  
528 directors shall be set by the department in accordance with the  
529 rules of the Senior Management Service.

530 Section 6. Effective October 1, 2015, subsection (4) of  
531 section 120.80, Florida Statutes, is amended, and subsection  
532 (19) is added to that section, to read:

533 120.80 Exceptions and special requirements; agencies.—

534 (4) DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.—

535 ~~(a) Business regulation. The Division of Pari-mutuel~~  
536 ~~Wagering is exempt from the hearing and notice requirements of~~  
537 ~~ss. 120.569 and 120.57(1)(a), but only for stewards, judges, and~~  
538 ~~boards of judges when the hearing is to be held for the purpose~~  
539 ~~of the imposition of fines or suspensions as provided by rules~~  
540 ~~of the Division of Pari-mutuel Wagering, but not for~~  
541 ~~revocations, and only upon violations of subparagraphs 1.-6. The~~  
542 ~~Division of Pari-mutuel Wagering shall adopt rules establishing~~  
543 ~~alternative procedures, including a hearing upon reasonable~~  
544 ~~notice, for the following violations:~~

545 ~~1. Horse riding, harness riding, greyhound interference,~~  
546 ~~and jai alai game actions in violation of chapter 550.~~

547           ~~2. Application and usage of drugs and medication to~~  
548 ~~horses, greyhounds, and jai alai players in violation of chapter~~  
549 ~~550.~~

550           ~~3. Maintaining or possessing any device which could be~~  
551 ~~used for the injection or other infusion of a prohibited drug to~~  
552 ~~horses, greyhounds, and jai alai players in violation of chapter~~  
553 ~~550.~~

554           ~~4. Suspensions under reciprocity agreements between the~~  
555 ~~Division of Pari-mutuel Wagering and regulatory agencies of~~  
556 ~~other states.~~

557           ~~5. Assault or other crimes of violence on premises~~  
558 ~~licensed for pari-mutuel wagering.~~

559           ~~6. Prearranging the outcome of any race or game.~~

560           ~~(b) Professional regulation.—~~Notwithstanding s.  
561 120.57(1) (a), formal hearings may not be conducted by the  
562 Secretary of Business and Professional Regulation or a board or  
563 member of a board within the Department of Business and  
564 Professional Regulation for matters relating to the regulation  
565 of professions, as defined by chapter 455.

566           (19) DEPARTMENT OF GAMING CONTROL; PARI-MUTUEL WAGERING.—

567           (a) The Department of Gaming Control is exempt from the  
568 hearing and notice requirements of ss. 120.569 and 120.57(1) (a)  
569 as applied to stewards, judges, and boards of judges if the  
570 hearing is to be held for the purpose of imposing a fine or  
571 suspension as provided by rules of the Department of Gaming  
572 Control, but not for revocations, and only to consider

573 violations specified under paragraph (b).

574 (b) The Department of Gaming Control shall adopt rules  
575 establishing alternative procedures, including a hearing upon  
576 reasonable notice, for the following:

577 1. Horse riding, harness riding, greyhound interference,  
578 and jai alai game actions in violation of part II of chapter  
579 551.

580 2. Application and administration of drugs and medication  
581 to a horse, greyhound, or jai alai player in violation of part  
582 II of chapter 551.

583 3. Maintaining or possessing a device that could be used  
584 to inject or infuse a prohibited drug into a horse, greyhound,  
585 or jai alai player in violation of part II of chapter 551.

586 4. Suspensions under reciprocity agreements between the  
587 department and regulatory agencies of other states.

588 5. Assault or other crimes of violence on premises  
589 licensed for pari-mutuel wagering.

590 6. Prearranging the outcome of a race or game.

591 Section 7. Effective October 1, 2015, paragraph (f) of  
592 subsection (1) and subsection (7) of section 285.710, Florida  
593 Statutes, are amended to read:

594 285.710 Compact authorization.—

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

596 (f) "State compliance agency" means the Gaming Control  
597 Commission, ~~Division of Pari-mutuel Wagering of the Department~~  
598 ~~of Business and Professional Regulation~~ which is designated as

599 the state agency having the authority to carry out the state's  
600 oversight responsibilities under the compact.

601 (7) The Gaming Control Commission ~~Division of Pari-mutuel~~  
602 ~~Wagering of the Department of Business and Professional~~  
603 ~~Regulation~~ is designated as the state compliance agency having  
604 the authority to carry out the state's oversight  
605 responsibilities under the compact authorized by this section.

606 Section 8. Effective October 1, 2015, subsection (4) of  
607 section 285.712, Florida Statutes, is amended to read:

608 285.712 Tribal-state gaming compacts.—

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

614 Section 9. (1) Effective October 1, 2015, all powers,  
615 duties, functions, records, offices, property, pending issues,  
616 existing contracts, administrative authority, administrative  
617 rules, and unexpended balance of appropriations, allocations,  
618 and other funds relating to the Division of Pari-mutuel Wagering  
619 of the Department of Business and Professional Regulation are  
620 transferred by a type two transfer, as defined in s. 20.06,  
621 Florida Statutes, to the Department of Gaming Control. After the  
622 type two transfer, the Department of Gaming Control is permitted  
623 to use the licensing system and other information technology  
624 systems maintained by the Department of Business and



625 Professional Regulation.

626 (2) Effective October 1, 2015, the Pari-Mutuel Wagering  
627 Trust Fund of the Department of Business and Financial  
628 Regulation is transferred to the Department of Gaming Control.

629 Section 10. Section 546.10, Florida Statutes, may be cited  
630 as the "Family Amusement Games Act."

631 Section 11. Section 546.10, Florida Statutes, is created  
632 to read:

633 546.10.—Amusement games or machines.—

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

635 (a) "Amusement game or machine" means a game or machine  
636 operated only for the bona fide entertainment of the general  
637 public which a person activates by inserting currency or a card,  
638 coin, coupon, slug, token, or similar device and, by application  
639 of skill, the person playing or operating the game or machine  
640 controls the outcome of the game. The term does not include:

641 1. Casino-style games in which the outcome of the game is  
642 determined by factors unpredictable by the player.

643 2. Games in which the player does not control the outcome  
644 of the game through skill.

645 3. Video poker games or any other games or machines that  
646 may be construed as a gambling device under the laws of this  
647 state.

648 4. Any game or device defined as a gambling device in 15  
649 U.S.C. s. 1171, unless excluded under 15 U.S.C. s. 1178.

650 (b) "Arcade amusement center" means a place of business  
651 having at least 50 amusement games or machines on premises which  
652 is operated for the entertainment of the general public and  
653 tourists as a bona fide amusement facility.

654 (c) "Card" means a stored value card as defined in s.  
655 560.103, and does not include a credit or debit card.

656 (d) "Game played" means the event beginning with  
657 activation of the amusement game or machine and ending when the  
658 results of play are determined without the insertion of any  
659 additional card, coin, coupon, currency, slug, token, or similar  
660 device to continue play. Free replays are not separate games  
661 played.

662 (e) "Merchandise" means noncash prizes, including toys and  
663 novelties. The term does not include:

664 1. Cash equivalents, including gift cards or certificates.

665 2. Alcoholic beverages.

666 3. Cards, coupons, points, slugs, tokens, or similar  
667 devices that can be used to activate an amusement game or  
668 machine.

669 4. Points or coupons that have a redemption value greater  
670 than the maximum value determined under subsection (7).

671 (f) "Redemption value" means the imputed value of coupons  
672 or points, based on the wholesale cost of onsite merchandise for  
673 which those coupons or points may be redeemed.

674 (g) "Truck stop" means a dealer registered pursuant to  
675 chapter 212, excluding marinas, which:

- 676       1. Declared its primary fuel business to be the sale of  
677 diesel fuel; and
- 678       2. Operates a minimum of six functional diesel fuel pumps.
- 679       (2) Notwithstanding any other provision of law, amusement  
680 games or machines may be operated as provided in this section.
- 681       (3) This section applies only to amusement games or  
682 machines as defined in subsection (1) and does not authorize:
- 683       (a) Casino-style games in which the outcome of the game is  
684 determined by factors unpredictable by the player.
- 685       (b) Games in which the player does not control the outcome  
686 of the game through skill.
- 687       (c) Video poker games or any other game or machine that  
688 may be construed as a gambling device under the laws of this  
689 state.
- 690       (d) Any game or device defined as a gambling device in 15  
691 U.S.C. s. 1171, unless excluded under 15 U.S.C. s. 1178.
- 692       (4) An amusement game or machine may entitle or enable a  
693 person, by application of skill, to replay the game or device  
694 without the insertion of any additional currency, coin, card,  
695 coupon, slug, token, or similar device, if:
- 696       (a) The amusement game or machine can accumulate and react  
697 to no more than 15 such replays.
- 698       (b) The amusement game or machine can be discharged of  
699 accumulated replays only by reactivating the game or device for  
700 one additional play for each accumulated replay.

701 (c) The amusement game or machine cannot make a permanent  
702 record, directly or indirectly, of any free replay.

703 (5) An amusement game or machine may entitle or enable a  
704 person, by application of skill, to receive points or coupons  
705 that may only be redeemed onsite for merchandise, if:

706 (a) The amusement game or machine is located at an arcade  
707 amusement center, truck stop, bowling center as defined in s.  
708 849.141, or public lodging establishment or public food service  
709 establishment licensed pursuant to chapter 509;

710 (b) The points or coupons have no value other than for  
711 redemption onsite for merchandise;

712 (c) The redemption value of the points or coupons a person  
713 receives for a single game played does not exceed the maximum  
714 value determined under subsection (7); and

715 (d) The redemption value of points or coupons that a  
716 person receives for playing multiple games simultaneously or  
717 competing against others in a multiplayer game does not exceed  
718 the maximum value determined under subsection (7).

719 (6) An amusement game or machine that allows the player to  
720 manipulate a claw or similar device within an enclosure may  
721 entitle or enable a person, by application of skill, to receive  
722 merchandise directly from the game or machine, if:

723 (a) The amusement game or machine is located at an arcade  
724 amusement center, truck stop, bowling center as defined in s.  
725 849.141, public lodging establishment or public food service

726 establishment licensed pursuant to chapter 509, or on the  
727 premises of a retailer as defined in s. 212.02; and

728 (b) The wholesale cost of the merchandise does not exceed  
729 10 times the maximum value determined under subsection (7).

730 (7) For purposes of this section, the maximum value is  
731 \$5.25. Beginning July 1, 2016, and annually thereafter, the  
732 Department of Revenue shall adjust the maximum value by  
733 multiplying the value by the sum of 1 plus the percentage change  
734 in the Consumer Price Index for All Urban Consumers, U.S. City  
735 Average, or a successor index as calculated by the United States  
736 Department of Labor, for the most recent 12-month period ending  
737 March 31, and rounding the product to the nearest cent. The  
738 Department of Revenue shall publish the maximum value, as  
739 adjusted, in a brochure accessible from its website relating to  
740 sales and use tax on amusement machines.

741 (8) Notwithstanding any other provision of law, an action  
742 to enjoin the operation of any game or machine at any location  
743 listed in paragraph (6) (a) pursuant to or for an alleged  
744 violation of chapter 849 may be brought only by the Attorney  
745 General, the state attorney for the circuit in which the game or  
746 machine is located, any federally recognized tribal government  
747 possessing sovereign powers and rights of self-government that  
748 is a party to a compact with the state or, in the case of an  
749 alleged violation of statutes that they are charged with  
750 enforcing, the Department of Agriculture and Consumer Services  
751 or the Department of Business and Professional Regulation.

752 Section 12. Effective October 1, 2015, subsections (5),  
 753 (6), (7), and (11) of section 550.002, Florida Statutes, are  
 754 amended, subsections (8) through (15) are renumbered as  
 755 subsections (7) through (14), respectively, and a new subsection  
 756 (15) is added to that section, to read:

757 550.002 Definitions.—As used in this chapter, the term:

758 (5) "Current meet" or "current race meet" means the  
 759 conduct of racing or games pursuant to a current year's  
 760 operating license issued by the department ~~division~~.

761 (6) "Department" means the Department of Gaming Control  
 762 ~~Business and Professional Regulation~~.

763 ~~(7) "Division" means the Division of Pari-mutuel Wagering~~  
 764 ~~within the Department of Business and Professional Regulation.~~

765 (10) ~~(11)~~ "Full schedule of live racing or games" means,  
 766 for a greyhound or jai alai permitholder, the conduct of a  
 767 combination of at least 100 live evening or matinee performances  
 768 during the preceding year; for a permitholder who has a  
 769 converted permit or filed an application on or before June 1,  
 770 1990, for a converted permit, the conduct of a combination of at  
 771 least 100 live evening and matinee wagering performances during  
 772 either of the 2 preceding years; for a jai alai permitholder who  
 773 does not operate slot machines in its pari-mutuel facility, who  
 774 has conducted at least 100 live performances per year for at  
 775 least 10 years after December 31, 1992, and whose handle on live  
 776 jai alai games conducted at its pari-mutuel facility has been  
 777 less than \$4 million per state fiscal year for at least 2

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778 consecutive years after June 30, 1992, the conduct of a  
779 combination of at least 40 live evening or matinee performances  
780 during the preceding year; for a jai alai permitholder who  
781 operates slot machines in its pari-mutuel facility, the conduct  
782 of a combination of at least 150 performances during the  
783 preceding year; for a harness permitholder, the conduct of at  
784 least 100 live regular wagering performances during the  
785 preceding year; for a quarter horse permitholder at its facility  
786 unless an alternative schedule of at least 20 live regular  
787 wagering performances is agreed upon by the permitholder and  
788 either the Florida Quarter Horse Racing Association or the  
789 horsemen's association representing the majority of the quarter  
790 horse owners and trainers at the facility and filed ~~with the~~  
791 ~~division~~ along with its annual date application, in the 2010-  
792 2011 fiscal year, the conduct of at least 20 regular wagering  
793 performances, in the 2011-2012 and 2012-2013 fiscal years, the  
794 conduct of at least 30 live regular wagering performances, and  
795 for every fiscal year after the 2012-2013 fiscal year, the  
796 conduct of at least 40 live regular wagering performances; for a  
797 quarter horse permitholder leasing another licensed racetrack,  
798 the conduct of 160 events at the leased facility; and for a  
799 thoroughbred permitholder, the conduct of at least 40 live  
800 regular wagering performances during the preceding year. For a  
801 permitholder which is restricted by statute to certain operating  
802 periods within the year when other members of its same class of  
803 permit are authorized to operate throughout the year, the

804 specified number of live performances which constitute a full  
 805 schedule of live racing or games shall be adjusted pro rata in  
 806 accordance with the relationship between its authorized  
 807 operating period and the full calendar year and the resulting  
 808 specified number of live performances shall constitute the full  
 809 schedule of live games for such permitholder and all other  
 810 permitholders of the same class within 100 air miles of such  
 811 permitholder. A live performance must consist of no fewer than  
 812 eight races or games conducted live for each of a minimum of  
 813 three performances each week at the permitholder's licensed  
 814 facility under a single admission charge. However, beginning  
 815 with the 2016-2017 fiscal year, a greyhound permitholder is not  
 816 required to conduct a minimum number of live performances.

817 (15) "Historical racing system" or "historical racing"  
 818 means a form of pari-mutuel wagering based on video signals of  
 819 previously conducted in-state or out-of state thoroughbred races  
 820 which are sent from an in-state server, operated by a licensed  
 821 totalisator company, and displayed at individual wagering  
 822 terminals.

823 Section 13. Effective October 1, 2015, section 550.01215,  
 824 Florida Statutes, is amended to read:

825 550.01215 License application; periods of operation; bond,  
 826 conversion of permit.—

827 (1) Each permitholder shall annually, during the period  
 828 between December 15 and January 4, file in writing with the  
 829 department ~~division~~ its application for an operating ~~a~~ license



830 to conduct performances or pari-mutuel wagering or both during  
 831 the next state fiscal year. Each application for live  
 832 performances shall specify the number, dates, and starting times  
 833 of all performances that ~~which~~ the permitholder intends to  
 834 conduct. It shall also specify which performances will be  
 835 conducted as charity or scholarship performances.

836 (a) In addition, each application for an operating a  
 837 license shall include:

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

840 2. For each permitholder that elects to operate a  
 841 cardroom, the dates and periods of operation the permitholder  
 842 intends to operate the cardroom; or

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

847 (b) A greyhound racing permitholder operating pursuant to  
 848 a current year's operating license may specify that it intends  
 849 to conduct no live performances or less than a full schedule of  
 850 live performances in the next state fiscal year. A greyhound  
 851 racing permitholder may receive an operating license to conduct  
 852 pari-mutuel wagering activities at another permitholder's  
 853 greyhound racing facility pursuant to s. 550.475.

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

856 (2) After the first license has been issued to a  
857 permitholder, all subsequent annual applications for a license  
858 shall be accompanied by proof, in such form as the department  
859 ~~division~~ may by rule require, that the permitholder continues to  
860 possess the qualifications prescribed by this chapter, and that  
861 the permit has not been disapproved at a later election.

862 (3) The department ~~division~~ shall issue each license no  
863 later than March 15. Each permitholder shall operate all  
864 performances at the date and time specified on its license. The  
865 department ~~division~~ shall have the authority to approve minor  
866 changes in racing dates after a license has been issued. The  
867 department ~~division~~ may approve changes in racing dates after a  
868 license has been issued when there is no objection from any  
869 operating permitholder located within 50 miles of the  
870 permitholder requesting the changes in operating dates. In the  
871 event of an objection, the department ~~division~~ shall approve or  
872 disapprove the change in operating dates based upon the impact  
873 on operating permitholders located within 50 miles of the  
874 permitholder requesting the change in operating dates. In making  
875 the determination to change racing dates, the department  
876 ~~division~~ shall take into consideration the impact of such  
877 changes on state revenues.

878 (4) In the event that a permitholder fails to operate all  
879 performances specified on its license at the date and time  
880 specified, the department ~~division~~ shall hold a hearing to  
881 determine whether to fine or suspend the permitholder's license,

882 unless such failure was the direct result of fire, strike, war,  
883 or other disaster or event beyond the ability of the  
884 permitholder to control. Financial hardship to the permitholder  
885 shall not, in and of itself, constitute just cause for failure  
886 to operate all performances on the dates and at the times  
887 specified.

888 (5) In the event that performances licensed to be operated  
889 by a permitholder are vacated, abandoned, or will not be used  
890 for any reason, any permitholder shall be entitled, pursuant to  
891 rules adopted by the department division, to apply to conduct  
892 performances on the dates for which the performances have been  
893 abandoned. The department division shall issue an amended  
894 license for all such replacement performances which have been  
895 requested in compliance with the provisions of this chapter and  
896 department division rules.

897 ~~(6) Any permit which was converted from a jai alai permit~~  
898 ~~to a greyhound permit may be converted to a jai alai permit at~~  
899 ~~any time if the permitholder never conducted greyhound racing or~~  
900 ~~if the permitholder has not conducted greyhound racing for a~~  
901 ~~period of 12 consecutive months.~~

902 Section 14. Paragraph (b) of subsection (9), subsection  
903 (13), and paragraph (b) of subsection (14) of section 550.054,  
904 Florida Statutes, are amended, paragraphs (c) through (h) are  
905 added to subsection (9), and subsection (15) is added to that  
906 section, to read:

907 550.054 Application for permit to conduct pari-mutuel

908 | wagering.—

909 |       (9)

910 |       (b) The division may revoke or suspend any permit or  
 911 | license issued under this chapter upon the willful violation by  
 912 | the permitholder or licensee of any provision of this chapter or  
 913 | of any rule adopted under this chapter. In lieu of suspending or  
 914 | revoking a permit or license, the division may impose a civil  
 915 | penalty against the permitholder or licensee for a violation of  
 916 | this chapter or any rule adopted by the division, except as  
 917 | provided for in subparagraphs (c)-(h). The penalty so imposed  
 918 | may not exceed \$1,000 for each count or separate offense. All  
 919 | penalties imposed and collected must be deposited with the Chief  
 920 | Financial Officer to the credit of the General Revenue Fund.

921 |       (c) The division shall revoke the permit previously issued  
 922 | to any for-profit permitholder that has not obtained an  
 923 | operating license in accordance with s. 550.01215 for more than  
 924 | 24 consecutive months since June 30, 2012. The division shall  
 925 | revoke the permit upon adequate notice to the permitholder  
 926 | unless such failure was the direct result of fire, strike, war,  
 927 | or other disaster or event beyond the permitholder's control.  
 928 | Financial hardship to the permitholder is not, in and of itself,  
 929 | just cause for failure to operate.

930 |       (d) The division shall revoke the permit of any for-profit  
 931 | permitholder that does not pay tax on handle for more than 24  
 932 | consecutive months unless such failure to pay tax on handle was  
 933 | the direct result of fire, strike, war, or other disaster or

934 event beyond the permitholder's control. Financial hardship to  
935 the permitholder is not, in and of itself, just cause for  
936 failure to pay tax on handle.

937 (e) Notwithstanding any other provision of law, no new  
938 permit to conduct pari-mutuel wagering may be approved or issued  
939 and no permit to conduct pari-mutuel wagering may be converted  
940 after July 1, 2015.

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

943 (g) A permitholder may apply to the division to place the  
944 permit into inactive status for a period of 12 months pursuant  
945 to the rules adopted under this chapter. The division, upon good  
946 cause shown by the permitholder, may renew inactive status for  
947 up to 12 months. A permit may not be in inactive status for a  
948 period of more than 24 consecutive months. Holders of permits in  
949 inactive status are not eligible for licensure for pari-mutuel  
950 wagering, slot machines, or cardrooms.

951 (13)-(a) Notwithstanding any provisions of this chapter, a  
952 pari-mutuel ~~no thoroughbred horse racing~~ permit or license  
953 issued under this chapter may not ~~shall~~ be transferred, or  
954 reissued when such reissuance is in the nature of a transfer so  
955 as to permit or authorize a licensee to change the location of a  
956 pari-mutuel facility. ~~thoroughbred horse racetrack except upon~~  
957 ~~proof in such form as the division may prescribe that a~~  
958 ~~referendum election has been held:~~

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

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

964 ~~2. If the proposed new location is not within the same~~  
 965 ~~county as the already licensed location, in the county where the~~  
 966 ~~licensee desires to conduct the race meeting and in the county~~  
 967 ~~where the licensee is already licensed to conduct the race~~  
 968 ~~meeting and that a majority of the electors voting on that~~  
 969 ~~question in each such election voted in favor of the transfer of~~  
 970 ~~such license.~~

971 ~~(b) Each referendum held under the provisions of this~~  
 972 ~~subsection shall be held in accordance with the electoral~~  
 973 ~~procedures for ratification of permits, as provided in s.~~  
 974 ~~550.0651. The expense of each such referendum shall be borne by~~  
 975 ~~the licensee requesting the transfer.~~

976 (14)

977 (b) The division, upon application from the holder of a  
 978 jai alai permit meeting all conditions of this section, may  
 979 ~~shall~~ convert the permit and ~~shall~~ issue to the permitholder a  
 980 permit to conduct greyhound racing, if such application was made  
 981 before February 28, 2015. A permitholder of a permit converted  
 982 under this section must ~~shall be required to~~ apply for and  
 983 conduct a full schedule of live racing in the first fiscal year  
 984 following the conversion ~~each fiscal year to be eligible for any~~  
 985 ~~tax credit provided by this chapter. The holder of a permit~~

986 ~~converted pursuant to this subsection or any holder of a permit~~  
 987 ~~to conduct greyhound racing located in a county in which it is~~  
 988 ~~the only permit issued pursuant to this section who operates at~~  
 989 ~~a leased facility pursuant to s. 550.475 may move the location~~  
 990 ~~for which the permit has been issued to another location within~~  
 991 ~~a 30-mile radius of the location fixed in the permit issued in~~  
 992 ~~that county, provided the move does not cross the county~~  
 993 ~~boundary and such location is approved under the zoning~~  
 994 ~~regulations of the county or municipality in which the permit is~~  
 995 ~~located, and upon such relocation may use the permit for the~~  
 996 ~~conduct of pari-mutuel wagering and the operation of a cardroom.~~  
 997 The provisions of s. 550.6305(9)(d) and (f) ~~shall~~ apply to any  
 998 permit converted under this subsection and shall continue to  
 999 apply to any permit which was previously included under and  
 1000 subject to such provisions before a conversion pursuant to this  
 1001 section occurred.

1002 (15) Any application or request for relocation made  
 1003 pursuant to any provision of this chapter on or after July 1,  
 1004 2015, shall be denied.

1005 Section 15. Section 550.0555, Florida Statutes, is  
 1006 repealed.

1007 Section 16. Section 550.0745, Florida Statutes, is amended  
 1008 to read:

1009 550.0745 ~~Conversion of pari-mutuel permit to Summer jai~~  
 1010 ~~alai permit.-~~

1011 (1) A pari-mutuel permitholder that converted its permit

1012 on or before July 1, 2015, may conduct a summer jai alai fronton  
 1013 during the summer season beginning May 1 and ending November 30  
 1014 of each year on such dates as may be selected by the  
 1015 permitholder for the same number of days and performances as are  
 1016 allowed and granted to winter jai alai frontons within such  
 1017 county. Such permitholder shall pay the same taxes as are fixed  
 1018 and required to be paid from the pari-mutuel pools of winter jai  
 1019 alai permitholders and is bound by all of the rules and  
 1020 provisions of this part which apply to the operation of winter  
 1021 jai alai frontons. Such permitholder may operate a jai alai  
 1022 fronton only after its application is approved by the commission  
 1023 and its license is issued pursuant to the application. The  
 1024 license is renewable annually as provided by law ~~The owner or~~  
 1025 ~~operator of a pari-mutuel permit who is authorized by the~~  
 1026 ~~division to conduct pari-mutuel pools on exhibition sports in~~  
 1027 ~~any county having five or more such pari-mutuel permits and~~  
 1028 ~~whose mutuel play from the operation of such pari-mutuel pools~~  
 1029 ~~for the 2 consecutive years next prior to filing an application~~  
 1030 ~~under this section has had the smallest play or total pool~~  
 1031 ~~within the county may apply to the division to convert its~~  
 1032 ~~permit to a permit to conduct a summer jai alai fronton in such~~  
 1033 ~~county during the summer season commencing on May 1 and ending~~  
 1034 ~~on November 30 of each year on such dates as may be selected by~~  
 1035 ~~such permittee for the same number of days and performances as~~  
 1036 ~~are allowed and granted to winter jai alai frontons within such~~  
 1037 ~~county. If a permittee who is eligible under this section to~~



1038 ~~convert a permit declines to convert, a new permit is hereby~~  
1039 ~~made available in that permittee's county to conduct summer jai~~  
1040 ~~alai games as provided by this section, notwithstanding mileage~~  
1041 ~~and permit ratification requirements. If a permittee converts a~~  
1042 ~~quarter horse permit pursuant to this section, nothing in this~~  
1043 ~~section prohibits the permittee from obtaining another quarter~~  
1044 ~~horse permit. Such permittee shall pay the same taxes as are~~  
1045 ~~fixed and required to be paid from the pari-mutuel pools of~~  
1046 ~~winter jai alai permittees and is bound by all of the rules and~~  
1047 ~~provisions of this chapter which apply to the operation of~~  
1048 ~~winter jai alai frontons. Such permittee shall only be permitted~~  
1049 ~~to operate a jai alai fronton after its application has been~~  
1050 ~~submitted to the division and its license has been issued~~  
1051 ~~pursuant to the application. The license is renewable from year~~  
1052 ~~to year as provided by law.~~

1053       (2) Such permitholder may apply for a license for the  
1054 operation of a jai alai fronton during the summer season as  
1055 provided in this section. A permitholder granted a license under  
1056 this section may not conduct pari-mutuel pools during the summer  
1057 season except at a jai alai fronton as provided in this section  
1058 ~~Such permittee is entitled to the issuance of a license for the~~  
1059 ~~operation of a jai alai fronton during the summer season as~~  
1060 ~~fixed in this section. A permittee granted a license under this~~  
1061 ~~section may not conduct pari-mutuel pools during the summer~~  
1062 ~~season except at a jai alai fronton as provided in this section.~~  
1063 ~~Such license authorizes the permittee to operate at any jai alai~~

1064 ~~permittee's plant it may lease or build within such county.~~

1065       (3) A license issued under subsection (2) may not allow  
1066 the operation of a jai alai fronton during the jai alai winter  
1067 season. The jai alai winter licensee and the jai alai summer  
1068 licensee may not operate on the same days or in competition with  
1069 each other. This section does not prevent the summer jai alai  
1070 licensee from leasing the facilities of the winter jai alai  
1071 licensee for the operation of the summer meet ~~Such license for~~  
1072 ~~the operation of a jai alai fronton shall never be permitted to~~  
1073 ~~be operated during the jai alai winter season; and neither the~~  
1074 ~~jai alai winter licensee or the jai alai summer licensee shall~~  
1075 ~~be permitted to operate on the same days or in competition with~~  
1076 ~~each other. This section does not prevent the summer jai alai~~  
1077 ~~permittee from leasing the facilities of the winter jai alai~~  
1078 ~~permittee for the operation of the summer meet.~~

1079       ~~(4) The provisions of this chapter which prohibit the~~  
1080 ~~location and operation of jai alai frontons within a specified~~  
1081 ~~distance from the location of another jai alai fronton or other~~  
1082 ~~permittee and which prohibit the division from granting any~~  
1083 ~~permit at a location within a certain designated area do not~~  
1084 ~~apply to the provisions of this section and do not prevent the~~  
1085 ~~issuance of a license under this section.~~

1086       Section 17. Effective October 1, 2015, section 550.0951,  
1087 Florida Statutes, is amended to read:

1088       550.0951 Payment of daily license fee and taxes;  
1089 penalties.—

1090 (1)~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the  
 1091 business of conducting race meetings or jai alai games under  
 1092 this chapter, hereinafter referred to as the "permitholder,"  
 1093 "licensee," or "permittee," shall pay to the department  
 1094 ~~division~~, for the use of the department ~~division~~, a daily  
 1095 license fee on each live or simulcast pari-mutuel event of \$100  
 1096 for each horserace and \$80 for each dograce and \$40 for each jai  
 1097 alai game conducted at a racetrack or fronton licensed under  
 1098 this chapter. A ~~In addition to the tax exemption specified in s.~~  
 1099 ~~550.09514(1) of \$360,000 or \$500,000 per greyhound permitholder~~  
 1100 ~~per state fiscal year, each greyhound permitholder shall receive~~  
 1101 ~~in the current state fiscal year a tax credit equal to the~~  
 1102 ~~number of live greyhound races conducted in the previous state~~  
 1103 ~~fiscal year times the daily license fee specified for each~~  
 1104 ~~dograce in this subsection applicable for the previous state~~  
 1105 ~~fiscal year. This tax credit and the exemption in s.~~  
 1106 ~~550.09514(1) shall be applicable to any tax imposed by this~~  
 1107 ~~chapter or the daily license fees imposed by this chapter except~~  
 1108 ~~during any charity or scholarship performances conducted~~  
 1109 ~~pursuant to s. 550.0351. Each permitholder may not be required~~  
 1110 ~~to shall~~ pay daily license fees in excess of ~~not to exceed~~ \$500  
 1111 per day on any simulcast races or games on which such  
 1112 permitholder accepts wagers regardless of the number of out-of-  
 1113 state events taken or the number of out-of-state locations from  
 1114 which such events are taken. This license fee shall be deposited  
 1115 with the Chief Financial Officer to the credit of the Pari-

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1116 mutuel Wagering Trust Fund.

1117 ~~(b) Each permitholder that cannot utilize the full amount~~  
1118 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~  
1119 ~~550.09514(1) or the daily license fee credit provided in this~~  
1120 ~~section may, after notifying the division in writing, elect once~~  
1121 ~~per state fiscal year on a form provided by the division to~~  
1122 ~~transfer such exemption or credit or any portion thereof to any~~  
1123 ~~greyhound permitholder which acts as a host track to such~~  
1124 ~~permitholder for the purpose of intertrack wagering. Once an~~  
1125 ~~election to transfer such exemption or credit is filed with the~~  
1126 ~~division, it shall not be rescinded. The division shall~~  
1127 ~~disapprove the transfer when the amount of the exemption or~~  
1128 ~~credit or portion thereof is unavailable to the transferring~~  
1129 ~~permitholder or when the permitholder who is entitled to~~  
1130 ~~transfer the exemption or credit or who is entitled to receive~~  
1131 ~~the exemption or credit owes taxes to the state pursuant to a~~  
1132 ~~deficiency letter or administrative complaint issued by the~~  
1133 ~~division. Upon approval of the transfer by the division, the~~  
1134 ~~transferred tax exemption or credit shall be effective for the~~  
1135 ~~first performance of the next payment period as specified in~~  
1136 ~~subsection (5). The exemption or credit transferred to such host~~  
1137 ~~track may be applied by such host track against any taxes~~  
1138 ~~imposed by this chapter or daily license fees imposed by this~~  
1139 ~~chapter. The greyhound permitholder host track to which such~~  
1140 ~~exemption or credit is transferred shall reimburse such~~  
1141 ~~permitholder the exact monetary value of such transferred~~

1142 ~~exemption or credit as actually applied against the taxes and~~  
1143 ~~daily license fees of the host track. The division shall ensure~~  
1144 ~~that all transfers of exemption or credit are made in accordance~~  
1145 ~~with this subsection and shall have the authority to adopt rules~~  
1146 ~~to ensure the implementation of this section.~~

1147 (2) ADMISSION TAX.—

1148 (a) An admission tax equal to 15 percent of the admission  
1149 charge for entrance to the permitholder's facility and  
1150 grandstand area, or 10 cents, whichever is greater, is imposed  
1151 on each person attending a horserace, dograce, or jai alai game.  
1152 The permitholder shall be responsible for collecting the  
1153 admission tax.

1154 (b) No admission tax under this chapter or chapter 212  
1155 shall be imposed on any free passes or complimentary cards  
1156 issued to persons for which there is no cost to the person for  
1157 admission to pari-mutuel events.

1158 (c) A permitholder may issue tax-free passes to its  
1159 officers, officials, and employees or other persons actually  
1160 engaged in working at the racetrack, including accredited press  
1161 representatives such as reporters and editors, and may also  
1162 issue tax-free passes to other permitholders for the use of  
1163 their officers and officials. The permitholder shall file with  
1164 the department ~~division~~ a list of all persons to whom tax-free  
1165 passes are issued under this paragraph.

1166 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
1167 contributions to pari-mutuel pools, the aggregate of which is

1168 hereinafter referred to as "handle," on races or games conducted  
 1169 by the permitholder. The tax is imposed daily and is based on  
 1170 the total contributions to all pari-mutuel pools conducted  
 1171 during the daily performance. If a permitholder conducts more  
 1172 than one performance daily, the tax is imposed on each  
 1173 performance separately.

1174 (a) The tax on handle for quarter horse racing is 1.0  
 1175 percent of the handle.

1176 (b)~~1.~~ The tax on handle for dogracing is 1.28 ~~5.5~~ percent  
 1177 of the handle, ~~except that for live charity performances held~~  
 1178 ~~pursuant to s. 550.0351, and for intertrack wagering on such~~  
 1179 ~~charity performances at a guest greyhound track within the~~  
 1180 ~~market area of the host, the tax is 7.6 percent of the handle.~~

1181 ~~2.~~ The tax on handle for jai alai is ~~7.1~~ percent of the  
 1182 handle.

1183 (c) 1.a. The tax on handle for intertrack wagering is:

1184 (I) If the host track is a horse track, 2.0 percent of the  
 1185 handle.

1186 (II) If the host track is a harness track ~~horse track~~, 3.3  
 1187 percent of the handle.

1188 (III) If the host track is a dog track ~~harness track~~, 1.28  
 1189 ~~5.5~~ percent of the handle to be remitted by the guest track. ~~if~~  
 1190 ~~the host track is a dog track, and~~

1191 (IV) If the host track is a jai alai fronton, 7.1 percent  
 1192 ~~if the host track is a jai alai fronton.~~

1193 b. The tax on handle for intertrack wagering is 0.5

1194 percent if the host track and the guest track are thoroughbred  
 1195 permitholders or if the guest track is located outside the  
 1196 market area of a nongreyhound ~~the~~ host track and within the  
 1197 market area of a thoroughbred permitholder currently conducting  
 1198 a live race meet.

1199 c. The tax on handle for intertrack wagering on  
 1200 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent  
 1201 of the handle and 1.5 percent of the handle for intertrack  
 1202 wagering on rebroadcasts of simulcast harness horseraces.

1203 2. The tax under subparagraph 1. shall be deposited into  
 1204 the Pari-mutuel Wagering Trust Fund.

1205 3.2. If the host facility is a jai alai permitholder, the  
 1206 tax on handle for intertrack wagers is ~~accepted by any dog track~~  
 1207 ~~located in an area of the state in which there are only three~~  
 1208 ~~permitholders, all of which are greyhound permitholders, located~~  
 1209 ~~in three contiguous counties, from any greyhound permitholder~~  
 1210 ~~also located within such area or any dog track or jai alai~~  
 1211 ~~fronton located as specified in s. 550.615(6) or (9), on races~~  
 1212 ~~or games received from the same class of permitholder located~~  
 1213 ~~within the same market area is 3.9 percent if the host facility~~  
 1214 ~~is a greyhound permitholder and, if the host facility is a jai~~  
 1215 ~~alai permitholder, the rate shall be 6.1 percent except that it~~  
 1216 shall be 2.3 percent on handle at such time as the total tax on  
 1217 intertrack handle paid to the department ~~division~~ by the  
 1218 permitholder during the current state fiscal year exceeds the  
 1219 total tax on intertrack handle paid to the department ~~division~~

1220 by the permitholder during the 1992-1993 state fiscal year.

1221 (d) Notwithstanding any other provision of this chapter,  
 1222 in order to protect the Florida jai alai industry, effective  
 1223 July 1, 2000, a jai alai permitholder may not be taxed on live  
 1224 handle at a rate higher than 2 percent.

1225 (4) BREAKS TAX.—Effective October 1, 1996, each  
 1226 permitholder conducting jai alai performances shall pay a tax  
 1227 equal to the breaks. The "breaks" represents that portion of  
 1228 each pari-mutuel pool which is not redistributed to the  
 1229 contributors or withheld by the permitholder as commission.

1230 (5) HISTORICAL RACING; TAX AND FEE.—

1231 (a) Each licensee under this chapter conducting historical  
 1232 racing pursuant to s. 550.81 shall pay a tax equal to 2 percent  
 1233 of the handle from the historical racing terminals located at  
 1234 its facility.

1235 (b) Upon authorization to conduct historical racing  
 1236 pursuant to s. 550.81 and annually thereafter on the anniversary  
 1237 date of the authorization, the licensee shall pay a fee to the  
 1238 department of \$50,000. The fee shall be deposited into the Pari-  
 1239 mutuel Wagering Trust Fund to be used by the department and the  
 1240 Department of Law Enforcement for investigations, regulation of  
 1241 historical racing, and enforcement of historical racing  
 1242 provisions.

1243 (6)-(5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments  
 1244 imposed by this section shall be paid to the department  
 1245 division. The department ~~division~~ shall deposit these sums with



1246 the Chief Financial Officer, to the credit of the Pari-mutuel  
 1247 Wagering Trust Fund, hereby established. The permitholder shall  
 1248 remit to the department ~~division~~ payment for the daily license  
 1249 fee, the admission tax, the tax on handle, and the breaks tax.  
 1250 Such payments shall be remitted by 3 p.m. Wednesday of each week  
 1251 for taxes imposed and collected for the preceding week ending on  
 1252 Sunday. Beginning on July 1, 2012, such payments shall be  
 1253 remitted by 3 p.m. on the 5th day of each calendar month for  
 1254 taxes imposed and collected for the preceding calendar month. If  
 1255 the 5th day of the calendar month falls on a weekend, payments  
 1256 shall be remitted by 3 p.m. the first Monday following the  
 1257 weekend. Permitholders shall file a report under oath by the 5th  
 1258 day of each calendar month for all taxes remitted during the  
 1259 preceding calendar month. Such payments shall be accompanied by  
 1260 a report under oath showing the total of all admissions, the  
 1261 pari-mutuel wagering activities for the preceding calendar  
 1262 month, and such other information as may be prescribed by the  
 1263 department ~~division~~.

1264 (7)~~(6)~~ PENALTIES.—

1265 (a) The failure of any permitholder to make payments as  
 1266 prescribed in subsection (5) is a violation of this section, and  
 1267 the permitholder may be subjected by the department ~~division~~ to  
 1268 a civil penalty of up to \$1,000 for each day the tax payment is  
 1269 not remitted. All penalties imposed and collected shall be  
 1270 deposited in the General Revenue Fund. If a permitholder fails  
 1271 to pay penalties imposed by order of the department ~~division~~

1272 under this subsection, the department ~~division~~ may suspend or  
 1273 revoke the license of the permitholder, cancel the permit of the  
 1274 permitholder, or deny issuance of any further license or permit  
 1275 to the permitholder.

1276 (b) In addition to the civil penalty prescribed in  
 1277 paragraph (a), any willful or wanton failure by any permitholder  
 1278 to make payments of the daily license fee, admission tax, tax on  
 1279 handle, or breaks tax constitutes sufficient grounds for the  
 1280 department ~~division~~ to suspend or revoke the license of the  
 1281 permitholder, to cancel the permit of the permitholder, or to  
 1282 deny issuance of any further license or permit to the  
 1283 permitholder.

1284 Section 18. Effective October 1, 2015, paragraph (b) of  
 1285 subsection (3) of section 550.09512, Florida Statutes, is  
 1286 amended to read:

1287 550.09512 Harness racing ~~horse~~ taxes; abandoned interest  
 1288 in a permit for nonpayment of taxes.-

1289 (3)

1290 ~~(b) In order to maximize the tax revenues to the state,~~  
 1291 ~~the division shall reissue an escheated harness horse permit to~~  
 1292 ~~a qualified applicant pursuant to the provisions of this chapter~~  
 1293 ~~as for the issuance of an initial permit. However, the~~  
 1294 ~~provisions of this chapter relating to referendum requirements~~  
 1295 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~  
 1296 ~~escheated harness horse permit. As specified in the application~~  
 1297 ~~and upon approval by the division of an application for the~~

1298 ~~permit, the new permitholder shall be authorized to operate a~~  
 1299 ~~harness horse facility anywhere in the same county in which the~~  
 1300 ~~escheated permit was authorized to be operated, notwithstanding~~  
 1301 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1302 Section 19. Effective October 1, 2015, section 550.09514,  
 1303 Florida Statutes, is amended to read:

1304 550.09514 Greyhound dogracing taxes; purse requirements.-

1305 ~~(1) Wagering on greyhound racing is subject to a tax on~~  
 1306 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~  
 1307 ~~However, each permitholder shall pay no tax on handle until such~~  
 1308 ~~time as this subsection has resulted in a tax savings per state~~  
 1309 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~  
 1310 ~~the tax as specified in s. 550.0951(3) on all handle for the~~  
 1311 ~~remainder of the permitholder's current race meet. For the three~~  
 1312 ~~permitholders that conducted a full schedule of live racing in~~  
 1313 ~~1995, and are closest to another state that authorizes greyhound~~  
 1314 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~  
 1315 ~~year shall be \$500,000. The provisions of this subsection~~  
 1316 ~~relating to tax exemptions shall not apply to any charity or~~  
 1317 ~~scholarship performances conducted pursuant to s. 550.0351.~~

1318 (1)(2)(a) The department ~~division~~ shall determine for each  
 1319 greyhound permitholder the annual purse percentage rate of live  
 1320 handle for the state fiscal year 1993-1994 by dividing total  
 1321 purses paid on live handle by the permitholder, exclusive of  
 1322 payments made from outside sources, during the 1993-1994 state  
 1323 fiscal year by the permitholder's live handle for the 1993-1994

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1324 state fiscal year. A greyhound ~~Each~~ permitholder conducting live  
1325 racing during a fiscal year shall pay as purses for such live  
1326 races conducted during its current race meet a percentage of its  
1327 live handle not less than the percentage determined under this  
1328 paragraph, exclusive of payments made by outside sources, for  
1329 its 1993-1994 state fiscal year.

1330 (b) Except as otherwise set forth herein, in addition to  
1331 the minimum purse percentage required by paragraph (a), each  
1332 greyhound permitholder conducting live racing during a fiscal  
1333 year shall pay as purses an annual amount of \$60 for each live  
1334 race conducted ~~equal to 75 percent of the daily license fees~~  
1335 ~~paid by the greyhound each permitholder in for the preceding~~  
1336 ~~1994-1995 fiscal year. This purse supplement shall be disbursed~~  
1337 ~~weekly during the permitholder's race meet in an amount~~  
1338 ~~determined by dividing the annual purse supplement by the number~~  
1339 ~~of performances approved for the permitholder pursuant to its~~  
1340 ~~annual license and multiplying that amount by the number of~~  
1341 ~~performances conducted each week. For the greyhound~~  
1342 ~~permitholders in the county where there are two greyhound~~  
1343 ~~permitholders located as specified in s. 550.615(6), such~~  
1344 ~~permitholders shall pay in the aggregate an amount equal to 75~~  
1345 ~~percent of the daily license fees paid by such permitholders for~~  
1346 ~~the 1994-1995 fiscal year. These permitholders shall be jointly~~  
1347 ~~and severally liable for such purse payments. The additional~~  
1348 ~~purses provided by this paragraph must be used exclusively for~~  
1349 ~~purses other than stakes~~ and shall be disbursed weekly during

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1350 the permitholder's race meet. The department ~~division~~ shall  
1351 conduct audits necessary to ensure compliance with this section.

1352 (c)1. Each greyhound permitholder, l, when conducting at  
1353 least three live performances during any week, l, shall pay purses  
1354 in that week on wagers it accepts as a guest track on intertrack  
1355 and simulcast greyhound races at the same rate as it pays on  
1356 live races. Each greyhound permitholder, l, when conducting at  
1357 least three live performances during any week, l, shall pay purses  
1358 in that week, at the same rate as it pays on live races, on  
1359 wagers accepted on greyhound races at a guest track which is not  
1360 conducting live racing and is located within the same market  
1361 area as the greyhound permitholder conducting at least three  
1362 live performances during any week.

1363 2. Each host greyhound permitholder shall pay purses on  
1364 its simulcast and intertrack broadcasts of greyhound races to  
1365 guest facilities that are located outside its market area in an  
1366 amount equal to one quarter of an amount determined by  
1367 subtracting the transmission costs of sending the simulcast or  
1368 intertrack broadcasts from an amount determined by adding the  
1369 fees received for greyhound simulcast races plus 3 percent of  
1370 the greyhound intertrack handle at guest facilities that are  
1371 located outside the market area of the host and that paid  
1372 contractual fees to the host for such broadcasts of greyhound  
1373 races.

1374 (d) The department ~~division~~ shall require sufficient  
1375 documentation from each greyhound permitholder regarding purses

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1376 paid on live racing to assure that the annual purse percentage  
1377 rates paid by each greyhound permitholder conducting ~~on the~~ live  
1378 races are not reduced below those paid during the 1993-1994  
1379 state fiscal year. The department ~~division~~ shall require  
1380 sufficient documentation from each greyhound permitholder to  
1381 assure that the purses paid by each permitholder on the  
1382 greyhound intertrack and simulcast broadcasts are in compliance  
1383 with the requirements of paragraph (c).

1384 (e) In addition to the purse requirements of paragraphs  
1385 (a)-(c), each greyhound permitholder conducting live races shall  
1386 pay as purses an amount equal to one-third of the amount of the  
1387 tax reduction on live and simulcast handle applicable to such  
1388 permitholder as a result of the reductions in tax rates provided  
1389 by s. 6 of chapter 2000-354, Laws of Florida ~~this act through~~  
1390 ~~the amendments to s. 550.0951(3)~~. With respect to intertrack  
1391 wagering when the host and guest tracks are greyhound  
1392 permitholders not within the same market area, an amount equal  
1393 to the tax reduction applicable to the guest track handle as a  
1394 result of the reduction in tax rate provided by s. 6 of chapter  
1395 2000-354, Laws of Florida, ~~this act through the amendment to s.~~  
1396 ~~550.0951(3)~~ shall be distributed to the guest track, one-third  
1397 of which amount shall be paid as purses at the guest track.  
1398 However, if the guest track is a greyhound permitholder within  
1399 the market area of the host or if the guest track is not a  
1400 greyhound permitholder, an amount equal to such tax reduction  
1401 applicable to the guest track handle shall be retained by the

1402 host track, one-third of which amount shall be paid as purses at  
1403 the host track. These purse funds shall be disbursed in the week  
1404 received if the permitholder conducts at least one live  
1405 performance during that week. If the permitholder does not  
1406 conduct at least one live performance during the week in which  
1407 the purse funds are received, the purse funds shall be disbursed  
1408 weekly during the permitholder's next race meet in an amount  
1409 determined by dividing the purse amount by the number of  
1410 performances approved for the permitholder pursuant to its  
1411 annual license, and multiplying that amount by the number of  
1412 performances conducted each week. The department ~~division~~ shall  
1413 conduct audits necessary to ensure compliance with this  
1414 paragraph.

1415 (f) Each greyhound permitholder conducting live racing  
1416 shall, during the permitholder's race meet, supply kennel  
1417 operators and the department ~~Division of Pari-Mutuel Wagering~~  
1418 with a weekly report showing purses paid on live greyhound races  
1419 and all greyhound intertrack and simulcast broadcasts, including  
1420 both as a guest and a host together with the handle or  
1421 commission calculations on which such purses were paid and the  
1422 transmission costs of sending the simulcast or intertrack  
1423 broadcasts, so that the kennel operators may determine statutory  
1424 and contractual compliance.

1425 (g) Each greyhound permitholder conducting live racing  
1426 shall make direct payment of purses to the greyhound owners who  
1427 have filed with such permitholder appropriate federal taxpayer

1428 identification information based on the percentage amount agreed  
 1429 upon between the kennel operator and the greyhound owner.

1430 (h) At the request of a majority of kennel operators under  
 1431 contract with a greyhound permitholder conducting live racing,  
 1432 the permitholder shall make deductions from purses paid to each  
 1433 kennel operator electing such deduction and shall make a direct  
 1434 payment of such deductions to the local association of greyhound  
 1435 kennel operators formed by a majority of kennel operators under  
 1436 contract with the permitholder. The amount of the deduction  
 1437 shall be at least 1 percent of purses, as determined by the  
 1438 local association of greyhound kennel operators. ~~No~~ Deductions  
 1439 may not be taken pursuant to this paragraph without a kennel  
 1440 operator's specific approval before or after the effective date  
 1441 of this act.

1442 (2)~~(3)~~ For the purpose of this section, the term "live  
 1443 handle" means the handle from wagers placed at the  
 1444 permitholder's establishment on the live greyhound races  
 1445 conducted at the permitholder's establishment.

1446 Section 20. Effective October 1, 2015, paragraph (b) of  
 1447 subsection (3) of section 550.09515, Florida Statutes, is  
 1448 amended to read:

1449 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned  
 1450 interest in a permit for nonpayment of taxes.—

1451 (3)

1452 ~~(b) In order to maximize the tax revenues to the state,~~  
 1453 ~~the division shall reissue an escheated thoroughbred horse~~



1454 ~~permit to a qualified applicant pursuant to the provisions of~~  
1455 ~~this chapter as for the issuance of an initial permit. However,~~  
1456 ~~the provisions of this chapter relating to referendum~~  
1457 ~~requirements for a pari-mutuel permit shall not apply to the~~  
1458 ~~reissuance of an escheated thoroughbred horse permit. As~~  
1459 ~~specified in the application and upon approval by the division~~  
1460 ~~of an application for the permit, the new permitholder shall be~~  
1461 ~~authorized to operate a thoroughbred horse facility anywhere in~~  
1462 ~~the same county in which the escheated permit was authorized to~~  
1463 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~  
1464 ~~relating to mileage limitations.~~

1465 Section 21. Effective October 1, 2015, subsection (2) of  
1466 section 550.1625, Florida Statutes, is amended to read:

1467 550.1625 Dogracing; taxes.—

1468 (2) A permitholder that conducts a dograce meet under this  
1469 chapter must pay ~~the daily license fee,~~ the admission tax, ~~the~~  
1470 ~~breaks tax,~~ and the tax on pari-mutuel handle as provided in s.  
1471 550.0951 and is subject to all penalties and sanctions provided  
1472 in s. 550.0951(7) ~~550.0951(6)~~.

1473 Section 22. Effective October 1, 2015, section 550.1647,  
1474 Florida Statutes, is repealed.

1475 Section 23. Effective October 1, 2015, section 550.1648,  
1476 Florida Statutes, is amended to read:

1477 550.1648 Greyhound adoptions.—

1478 ~~(1)~~ A ~~Each~~ dogracing permitholder conducting live racing  
1479 at operating a dogracing facility in this state shall provide

1480 for a greyhound adoption booth to be located at the facility.

1481 (1) (a) The greyhound adoption booth must be operated on  
1482 weekends by personnel or volunteers from a bona fide  
1483 organization that promotes or encourages the adoption of  
1484 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,  
1485 as a condition of adoption, must provide sterilization of  
1486 greyhounds by a licensed veterinarian before relinquishing  
1487 custody of the greyhound to the adopter. The fee for  
1488 sterilization may be included in the cost of adoption. As used  
1489 in this section, the term "weekend" includes the hours during  
1490 which live greyhound racing is conducted on Friday, Saturday, or  
1491 Sunday, and the term "bona fide organization that promotes or  
1492 encourages the adoption of greyhounds" means an organization  
1493 that provides evidence of compliance with chapter 496 and  
1494 possesses a valid exemption from federal taxation issued by the  
1495 Internal Revenue Service. Information pamphlets and application  
1496 forms shall be provided to the public upon request.

1497 (b) ~~In addition,~~ The kennel operator or owner shall notify  
1498 the permitholder that a greyhound is available for adoption and  
1499 the permitholder shall provide information concerning the  
1500 adoption of a greyhound in each race program and shall post  
1501 adoption information at conspicuous locations throughout the  
1502 dogracing facility. Any greyhound that is participating in a  
1503 race and that will be available for future adoption must be  
1504 noted in the race program. The permitholder shall allow  
1505 greyhounds to be walked through the track facility to publicize

1506 the greyhound adoption program.

1507 ~~(2) In addition to the charity days authorized under s.~~  
1508 ~~550.0351, a greyhound permitholder may fund the greyhound~~  
1509 ~~adoption program by holding a charity racing day designated as~~  
1510 ~~"Greyhound Adopt A Pet Day." All profits derived from the~~  
1511 ~~operation of the charity day must be placed into a fund used to~~  
1512 ~~support activities at the racing facility which promote the~~  
1513 ~~adoption of greyhounds. The division may adopt rules for~~  
1514 ~~administering the fund. Proceeds from the charity day authorized~~  
1515 ~~in this subsection may not be used as a source of funds for the~~  
1516 ~~purposes set forth in s. 550.1647.~~

1517 ~~(2)(3)~~(a) Upon a violation of this section by a  
1518 permitholder or licensee, the department ~~division~~ may impose a  
1519 penalty as provided in s. 550.0251(10) and require the  
1520 permitholder to take corrective action.

1521 (b) A penalty imposed under s. 550.0251(10) does not  
1522 exclude a prosecution for cruelty to animals or for any other  
1523 criminal act.

1524 Section 24. Effective October 1, 2015, section 550.2415,  
1525 Florida Statutes, is amended to read:

1526 550.2415 Racing of animals under certain conditions  
1527 prohibited; penalties; exceptions.—

1528 (1)(a) The racing of an animal that is impermissibly  
1529 medicated or determined to have a prohibited substance present  
1530 ~~with any drug, medication, stimulant, depressant, hypnotic,~~  
1531 ~~narcotic, local anesthetic, or drug masking agent~~ is prohibited.

1532 It is a violation of this section for a person to impermissibly  
 1533 medicate an animal or for an animal to have a prohibited  
 1534 substance present resulting ~~administer or cause to be~~  
 1535 ~~administered any drug, medication, stimulant, depressant,~~  
 1536 ~~hypnotic, narcotic, local anesthetic, or drug masking agent to~~  
 1537 ~~an animal which will result~~ in a positive test for such  
 1538 medications or substances ~~such substance~~ based on samples taken  
 1539 from the animal before ~~immediately prior to~~ or immediately after  
 1540 the racing of that animal. Test results and the identities of  
 1541 the animals being tested and of their trainers and owners of  
 1542 record are confidential and exempt from s. 119.07(1) and from s.  
 1543 24(a), Art. I of the State Constitution for 10 days after  
 1544 testing of all samples collected on a particular day has been  
 1545 completed and any positive test results derived from such  
 1546 samples have been reported ~~to the director of the division~~ or  
 1547 administrative action has been commenced.

1548 (b) It is a violation of this section for a race-day  
 1549 specimen to contain a level of a naturally occurring substance  
 1550 which exceeds normal physiological concentrations. The  
 1551 department ~~division~~ may solicit input from the Department of  
 1552 Agriculture and Consumer Services and adopt rules that specify  
 1553 normal physiological concentrations of naturally occurring  
 1554 substances in the natural untreated animal and rules that  
 1555 specify acceptable levels of environmental contaminants and  
 1556 trace levels of substances in test samples.

1557 (2) Administrative action may be taken by the department

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1558 ~~division~~ against an occupational licensee responsible pursuant  
1559 to rule of the department ~~division~~ for the condition of an  
1560 animal that has been impermissibly medicated or drugged in  
1561 violation of this section.

1562 (3) (a) Upon the finding of a violation of this section,  
1563 the department ~~division~~ may revoke or suspend the license or  
1564 permit of the violator or deny a license or permit to the  
1565 violator; impose a fine against the violator in an amount not  
1566 exceeding the purse or sweepstakes earned by the animal in the  
1567 race at issue or \$10,000, whichever is greater ~~\$5,000~~; require  
1568 the full or partial return of the purse, sweepstakes, and trophy  
1569 of the race at issue; or impose against the violator any  
1570 combination of such penalties. The finding of a violation of  
1571 this section does not prohibit ~~in no way prohibits~~ a prosecution  
1572 for criminal acts committed.

1573 (b) The department ~~division~~, notwithstanding the  
1574 provisions of chapter 120, may summarily suspend the license of  
1575 an occupational licensee responsible under this section or  
1576 department ~~division~~ rule for the condition of a race animal if  
1577 the department ~~division~~ laboratory reports the presence of a  
1578 prohibited ~~an impermissible~~ substance in the animal or its  
1579 blood, urine, saliva, or any other bodily fluid, either before a  
1580 race in which the animal is entered or after a race the animal  
1581 has run.

1582 (c) If an occupational licensee is summarily suspended  
1583 under this section, the department ~~division~~ shall offer the

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1584 licensee a prompt postsuspension hearing within 72 hours, at  
1585 which the department ~~division~~ shall produce the laboratory  
1586 report and documentation which, on its face, establishes the  
1587 responsibility of the occupational licensee. Upon production of  
1588 the documentation, the occupational licensee has the burden of  
1589 proving his or her lack of responsibility.

1590 (d) Any proceeding for administrative action against a  
1591 licensee or permittee, other than a proceeding under paragraph  
1592 (c), shall be conducted in compliance with chapter 120.

1593 (4) A prosecution pursuant to this section for a violation  
1594 of this section must be commenced within 90 days ~~2 years~~ after  
1595 the violation was committed. Service of an administrative  
1596 complaint marks the commencement of administrative action.

1597 (5) The department ~~division~~ shall implement a split-sample  
1598 procedure for testing animals under this section.

1599 (a) ~~Upon finding a positive drug test result,~~ The  
1600 department shall notify the owner or trainer, the stewards, and  
1601 the appropriate horsemen's association of all drug test the  
1602 ~~results. The owner may request that each urine and blood sample~~  
1603 ~~be split into a primary sample and a secondary (split) sample.~~  
1604 ~~Such splitting must be accomplished in the laboratory under~~  
1605 ~~rules approved by the division. Custody of both samples must~~  
1606 ~~remain with the division. If a drug test result is positive~~  
1607 ~~However,~~ and upon request by the affected trainer or owner of  
1608 the animal from which the sample was obtained, the department  
1609 ~~division~~ shall send the split sample to an approved independent

1610 laboratory for analysis. The department ~~division~~ shall establish  
1611 standards and rules for uniform enforcement and shall maintain a  
1612 list of at least five approved independent laboratories for an  
1613 owner or trainer to select from if a drug test result is ~~in the~~  
1614 ~~event of a positive test sample.~~

1615 (b) If the department's ~~state~~ laboratory's findings are  
1616 not confirmed by the independent laboratory, no further  
1617 administrative or disciplinary action under this section may be  
1618 pursued. ~~The division may adopt rules identifying substances~~  
1619 ~~that diminish in a blood or urine sample due to passage of time~~  
1620 ~~and that must be taken into account in applying this section.~~

1621 (c) If the independent laboratory confirms the  
1622 department's ~~state~~ laboratory's positive result, ~~or if there is~~  
1623 ~~an insufficient quantity of the secondary (split) sample for~~  
1624 ~~confirmation of the state laboratory's positive result,~~ the  
1625 department ~~division~~ may commence administrative proceedings as  
1626 prescribed in this chapter and consistent with chapter 120. For  
1627 purposes of this subsection, the department shall in good faith  
1628 attempt to obtain a sufficient quantity of the test fluid to  
1629 allow both a primary test and a secondary test to be made.

1630 (d) For the testing of racing greyhounds, if there is an  
1631 insufficient quantity of the secondary split sample for  
1632 confirmation of the department's laboratory's positive result,  
1633 the department may commence administrative proceedings as  
1634 prescribed in this chapter and consistent with chapter 120.

1635 (e) For the testing of racehorses, if there is an

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1636 insufficient quantity of the secondary split sample for  
1637 confirmation of the department's laboratory's positive result,  
1638 the department may not take further action on the matter against  
1639 the owner or trainer, and any resulting license suspension must  
1640 be immediately lifted.

1641 (f) The department shall require its laboratory and the  
1642 independent laboratories to annually participate in an  
1643 externally administered quality assurance program designed to  
1644 assess testing proficiency in the detection and appropriate  
1645 quantification of medications, drugs, and naturally occurring  
1646 substances that may be administered to racing animals. The  
1647 administrator of the quality assurance program shall report its  
1648 results and findings to the Department of Gaming Control and the  
1649 Department of Agriculture and Consumer Services.

1650 (6) (a) It is the intent of the Legislature that animals  
1651 that participate in races in this state on which pari-mutuel  
1652 wagering is conducted and animals that are bred and trained in  
1653 this state for racing be treated humanely, both on and off  
1654 racetracks, throughout the lives of the animals.

1655 (b) The department ~~division~~ shall, by rule, establish the  
1656 procedures for euthanizing greyhounds. However, a greyhound may  
1657 not be put to death by any means other than by lethal injection  
1658 of the drug sodium pentobarbital. A greyhound may not be removed  
1659 from this state for the purpose of being destroyed.

1660 (c) It is a violation of this chapter for an occupational  
1661 licensee to train a greyhound using live or dead animals. A



1662 greyhound may not be taken from this state for the purpose of  
1663 being trained through the use of live or dead animals.

1664 (d) Any act committed by any licensee that would  
1665 constitute cruelty to animals as defined in s. 828.02 involving  
1666 any animal constitutes a violation of this chapter. Imposition  
1667 of any penalty by the department ~~division~~ for violation of this  
1668 chapter or any rule adopted by the department ~~division~~ pursuant  
1669 to this chapter shall not prohibit a criminal prosecution for  
1670 cruelty to animals.

1671 (e) The department ~~division~~ may inspect any area at a  
1672 pari-mutuel facility where racing animals are raced, trained,  
1673 housed, or maintained, including any areas where food,  
1674 medications, or other supplies are kept, to ensure the humane  
1675 treatment of racing animals and compliance with this chapter and  
1676 the rules of the department ~~division~~.

1677 (7) (a) In order to protect the safety and welfare of  
1678 racing animals and the integrity of the races in which the  
1679 animals participate, the department shall adopt rules  
1680 establishing the conditions of use and maximum concentrations of  
1681 medications, drugs, and naturally occurring substances  
1682 identified in the Controlled Therapeutic Medication Schedule,  
1683 Version 2.1, revised April 17, 2014, by the Association of  
1684 Racing Commissioners International, Inc. (ARCI). Controlled  
1685 therapeutic medications include only the specific medications  
1686 and concentrations allowed in biological samples which have been  
1687 approved by ARCI as controlled therapeutic medications.

1688        (b) The department rules must designate the appropriate  
1689 biological specimens by which the administration of medications,  
1690 drugs, and naturally occurring substances is monitored and must  
1691 determine the testing methodologies, including measurement  
1692 uncertainties, for screening such specimens to confirm the  
1693 presence of medications, drugs, and naturally occurring  
1694 substances.

1695        (c) The department's rules must include a classification  
1696 system for drugs and substances and a corresponding penalty  
1697 schedule for violations which incorporates the Uniform  
1698 Classification Guidelines for Foreign Substances, Version 8.0,  
1699 revised December 2014, by ARCI. The department shall adopt  
1700 laboratory screening limits approved by ARCI for drugs and  
1701 medications that are not included as controlled therapeutic  
1702 medications, the presence of which in a sample may result in a  
1703 violation of this section.

1704        (d) The department rules must include conditions for the  
1705 use of furosemide to treat exercise-induced pulmonary  
1706 hemorrhage.

1707        (e) The department shall solicit input from the Department  
1708 of Agriculture and Consumer Services in adopting the rules  
1709 required under this subsection. Such rules must be adopted  
1710 before January 1, 2016 ~~Under no circumstances may any medication~~  
1711 ~~be administered closer than 24 hours prior to the officially~~  
1712 ~~scheduled post time of a race except as provided for in this~~  
1713 ~~section.~~

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1714 ~~(a) The division shall adopt rules setting conditions for~~  
1715 ~~the use of furosemide to treat exercise-induced pulmonary~~  
1716 ~~hemorrhage.~~

1717 ~~(b) The division shall adopt rules setting conditions for~~  
1718 ~~the use of prednisolone sodium succinate, but under no~~  
1719 ~~circumstances may furosemide or prednisolone sodium succinate be~~  
1720 ~~administered closer than 4 hours prior to the officially~~  
1721 ~~scheduled post time for the race.~~

1722 ~~(c) The division shall adopt rules setting conditions for~~  
1723 ~~the use of phenylbutazone and synthetic corticosteroids; in no~~  
1724 ~~case, except as provided in paragraph (b), shall these~~  
1725 ~~substances be given closer than 24 hours prior to the officially~~  
1726 ~~scheduled post time of a race. Oral corticosteroids are~~  
1727 ~~prohibited except when prescribed by a licensed veterinarian and~~  
1728 ~~reported to the division on forms prescribed by the division.~~

1729 ~~(f)(d) This section does not~~ Nothing in this section shall  
1730 ~~be interpreted to prohibit the use of vitamins, minerals, or~~  
1731 ~~naturally occurring substances so long as none exceeds the~~  
1732 ~~normal physiological concentration in a race-day specimen.~~

1733 ~~(e) The division may, by rule, establish acceptable levels~~  
1734 ~~of permitted medications and shall select the appropriate~~  
1735 ~~biological specimens by which the administration of permitted~~  
1736 ~~medication is monitored.~~

1737 ~~(8)(a)~~ Furosemide is the only medication that may be  
1738 administered within 24 hours before the officially scheduled  
1739 post time of a race; however, it may not be administered within

1740 4 hours before the officially scheduled post time of a race  
1741 ~~Under no circumstances may any medication be administered within~~  
1742 ~~24 hours before the officially scheduled post time of the race~~  
1743 ~~except as provided in this section.~~

1744 ~~(b) As an exception to this section, if the division first~~  
1745 ~~determines that the use of furosemide, phenylbutazone, or~~  
1746 ~~prednisolone sodium succinate in horses is in the best interest~~  
1747 ~~of racing, the division may adopt rules allowing such use. Any~~  
1748 ~~rules allowing the use of furosemide, phenylbutazone, or~~  
1749 ~~prednisolone sodium succinate in racing must set the conditions~~  
1750 ~~for such use. Under no circumstances may a rule be adopted which~~  
1751 ~~allows the administration of furosemide or prednisolone sodium~~  
1752 ~~succinate within 4 hours before the officially scheduled post~~  
1753 ~~time for the race. Under no circumstances may a rule be adopted~~  
1754 ~~which allows the administration of phenylbutazone or any other~~  
1755 ~~synthetic corticosteroid within 24 hours before the officially~~  
1756 ~~scheduled post time for the race. Any administration of~~  
1757 ~~synthetic corticosteroids is limited to parenteral routes. Oral~~  
1758 ~~administration of synthetic corticosteroids is expressly~~  
1759 ~~prohibited. If this paragraph is unconstitutional, it is~~  
1760 ~~severable from the remainder of this section.~~

1761 ~~(c) The division shall, by rule, establish acceptable~~  
1762 ~~levels of permitted medications and shall select the appropriate~~  
1763 ~~biological specimen by which the administration of permitted~~  
1764 ~~medications is monitored.~~

1765 (9) (a) The department ~~division~~ may conduct a postmortem

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1766 examination of any animal that is injured at a permitted  
1767 racetrack while in training or in competition and that  
1768 subsequently expires or is destroyed. The department ~~division~~  
1769 may conduct a postmortem examination of any animal that expires  
1770 while housed at a permitted racetrack, association compound, or  
1771 licensed kennel or farm. Trainers and owners shall be requested  
1772 to comply with this paragraph as a condition of licensure.

1773 (b) The department ~~division~~ may take possession of the  
1774 animal upon death for postmortem examination. The department  
1775 ~~division~~ may submit blood, urine, other bodily fluid specimens,  
1776 or other tissue specimens collected during a postmortem  
1777 examination for testing by the division laboratory or its  
1778 designee. Upon completion of the postmortem examination, the  
1779 carcass must be returned to the owner or disposed of at the  
1780 owner's option.

1781 (10) The presence of a prohibited substance in an animal,  
1782 found by the ~~division~~ laboratory in a bodily fluid specimen  
1783 collected after the race or during the postmortem examination of  
1784 the animal, which breaks down during a race constitutes a  
1785 violation of this section.

1786 (11) The cost of postmortem examinations, testing, and  
1787 disposal must be borne by the department ~~division~~.

1788 (12) The department ~~division~~ shall adopt rules to  
1789 implement this section. ~~The rules may include a classification~~  
1790 ~~system for prohibited substances and a corresponding penalty~~  
1791 ~~schedule for violations.~~

1792       ~~(13) Except as specifically modified by statute or by~~  
1793 ~~rules of the division, the Uniform Classification Guidelines for~~  
1794 ~~Foreign Substances, revised February 14, 1995, as promulgated by~~  
1795 ~~the Association of Racing Commissioners International, Inc., is~~  
1796 ~~hereby adopted by reference as the uniform classification system~~  
1797 ~~for class IV and V medications.~~

1798       ~~(14) The division shall utilize only the thin layer~~  
1799 ~~chromatography (TLC) screening process to test for the presence~~  
1800 ~~of class IV and V medications in samples taken from racehorses~~  
1801 ~~except when thresholds of a class IV or class V medication have~~  
1802 ~~been established and are enforced by rule. Once a sample has~~  
1803 ~~been identified as suspicious for a class IV or class V~~  
1804 ~~medication by the TLC screening process, the sample will be sent~~  
1805 ~~for confirmation by and through additional testing methods. All~~  
1806 ~~other medications not classified by rule as a class IV or class~~  
1807 ~~V agent shall be subject to all forms of testing available to~~  
1808 ~~the division.~~

1809       ~~(13)-(15)~~ The department ~~division~~ may implement by rule  
1810 medication levels for racing greyhounds recommended by the  
1811 University of Florida College of Veterinary Medicine developed  
1812 pursuant to an agreement between the department ~~Division of~~  
1813 ~~Pari-mutuel Wagering~~ and the University of Florida College of  
1814 Veterinary Medicine. The University of Florida College of  
1815 Veterinary Medicine may provide written notification to the  
1816 department ~~division~~ that it has completed research or review on  
1817 a particular drug pursuant to the agreement and when the College

1818 of Veterinary Medicine has completed a final report of its  
 1819 findings, conclusions, and recommendations to the department  
 1820 division.

1821 ~~(16) The testing medium for phenylbutazone in horses shall~~  
 1822 ~~be serum, and the division may collect up to six full 15-~~  
 1823 ~~milliliter blood tubes for each horse being sampled.~~

1824 Section 25. Effective October 1, 2015, section 550.2416,  
 1825 Florida Statutes, is created to read:

1826 550.2416 Reporting of racing greyhound injuries.-

1827 (1) An injury to a racing greyhound which occurs while the  
 1828 greyhound is located in this state must be reported on a form  
 1829 adopted by the department within 7 days after the date on which  
 1830 the injury occurred or is believed to have occurred.

1831 (2) The form shall be completed and signed under oath or  
 1832 affirmation under penalty of perjury by the:

1833 (a) Racetrack veterinarian, if the injury occurred at the  
 1834 racetrack facility; or

1835 (b) Owner, trainer, or kennel operator who had knowledge  
 1836 of the injury, if the injury occurred at a location other than  
 1837 the racetrack facility, including during transportation.

1838 (3) The form must include all of the following:

1839 (a) The greyhound's registered name, right-ear and left-  
 1840 ear tattoo numbers, and the microchip manufacturer and number,  
 1841 if any.

1842 (b) The name, business address, and telephone number of  
 1843 the greyhound owner, the trainer, and the kennel operator.

- 1844        (c) The color, weight, and sex of the greyhound.
- 1845        (d) The specific type and bodily location of the injury,  
1846 the cause of the injury, and the estimated recovery time from  
1847 the injury.
- 1848        (e) If the injury occurred when the greyhound was racing:
- 1849        1. The racetrack where the injury occurred;
- 1850        2. The distance, grade, race, and post position of the  
1851 greyhound when the injury occurred; and
- 1852        3. The weather conditions, time, and track conditions when  
1853 the injury occurred.
- 1854        (f) If the injury occurred when the greyhound was not  
1855 racing:
- 1856        1. The location where the injury occurred; and
- 1857        2. The circumstances surrounding the injury.
- 1858        (g) Other information that the division determines is  
1859 necessary to identify injuries to racing greyhounds in this  
1860 state.
- 1861        (4) An injury form created pursuant to this section shall  
1862 be maintained as a public record by the department for at least  
1863 7 years after the date it is received.
- 1864        (5) A licensee of the department who knowingly makes a  
1865 false statement concerning an injury or fails to report an  
1866 injury is subject to disciplinary action under this chapter or  
1867 chapters 455 and 474.
- 1868        (6) This section does not apply to injuries to a service  
1869 animal, personal pet, or greyhound that has been adopted as a



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1870 pet.1871 (7) The department shall adopt rules to implement this  
1872 section.1873 Section 26. Effective October 1, 2015, subsections (1) and  
1874 (3) of section 550.26165, Florida Statutes, are amended to read:

1875 550.26165 Breeders' awards.—

1876 (1) The purpose of this section is to encourage the  
1877 agricultural activity of breeding and training racehorses in  
1878 this state. Moneys dedicated in this chapter for use as  
1879 breeders' awards and stallion awards are to be used for awards  
1880 to breeders of registered Florida-bred horses winning horseraces  
1881 and for similar awards to the owners of stallions who sired  
1882 Florida-bred horses winning stakes races, if the stallions are  
1883 registered as Florida stallions standing in this state. Such  
1884 awards shall be given at a uniform rate to all winners of the  
1885 awards, shall not be greater than 20 percent of the announced  
1886 gross purse, and shall not be less than 15 percent of the  
1887 announced gross purse if funds are available. In addition, no  
1888 less than 17 percent nor more than 40 percent, as determined by  
1889 the Florida Thoroughbred Breeders' Association, of the moneys  
1890 dedicated in this chapter for use as breeders' awards and  
1891 stallion awards for thoroughbreds shall be returned pro rata to  
1892 the permitholders that generated the moneys for special racing  
1893 awards to be distributed by the permitholders to owners of  
1894 thoroughbred horses participating in prescribed thoroughbred  
1895 stakes races, nonstakes races, or both, all in accordance with a

1896 written agreement establishing the rate, procedure, and  
 1897 eligibility requirements for such awards entered into by the  
 1898 permitholder, the Florida Thoroughbred Breeders' Association,  
 1899 and the Florida Horsemen's Benevolent and Protective  
 1900 Association, Inc., except that the plan for the distribution by  
 1901 any permitholder located in the area described in s. 550.615(8)  
 1902 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the  
 1903 Florida Thoroughbred Breeders' Association, and the association  
 1904 representing a majority of the thoroughbred racehorse owners and  
 1905 trainers at that location. Awards for thoroughbred races are to  
 1906 be paid through the Florida Thoroughbred Breeders' Association,  
 1907 and awards for standardbred races are to be paid through the  
 1908 Florida Standardbred Breeders and Owners Association. Among  
 1909 other sources specified in this chapter, moneys for thoroughbred  
 1910 breeders' awards will come from the 0.955 percent of handle for  
 1911 thoroughbred races conducted, received, broadcast, or simulcast  
 1912 under this chapter as provided in s. 550.2625(3). The moneys for  
 1913 quarter horse and harness breeders' awards will come from the  
 1914 breaks and uncashed tickets on live quarter horse and harness  
 1915 racing performances and 1 percent of handle on intertrack  
 1916 wagering. The funds for these breeders' awards shall be paid to  
 1917 the respective breeders' associations by the permitholders  
 1918 conducting the races.

1919 (3) Breeders' associations shall submit their plans to the  
 1920 department ~~division~~ at least 60 days before the beginning of the  
 1921 payment year. The payment year may be a calendar year or any 12-

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1922 month period, but once established, the yearly base may not be  
1923 changed except for compelling reasons. Once a plan is approved,  
1924 the department ~~division~~ may not allow the plan to be amended  
1925 during the year, except for the most compelling reasons.

1926 Section 27. Effective October 1, 2015, paragraph (a) of  
1927 subsection (6) and subsections (10) and (13) of section  
1928 550.3551, Florida Statutes, are amended to read:

1929 550.3551 Transmission of racing and jai alai information;  
1930 commingling of pari-mutuel pools.-

1931 (6) (a) ~~A maximum of 20 percent of the total number of~~  
1932 ~~races on which wagers are accepted by a greyhound permitholder~~  
1933 ~~not located as specified in s. 550.615(6) may be received from~~  
1934 ~~locations outside this state.~~ A horseracing or a jai alai  
1935 permitholder may not conduct fewer than eight live races or  
1936 games on any authorized race day except as provided in this  
1937 subsection. A thoroughbred permitholder may not conduct fewer  
1938 than eight live races on any race day without the written  
1939 approval of the Florida Thoroughbred Breeders' Association and  
1940 the Florida Horsemen's Benevolent and Protective Association,  
1941 Inc., unless it is determined by the department that another  
1942 entity represents a majority of the thoroughbred racehorse  
1943 owners and trainers in the state. A harness permitholder may  
1944 conduct fewer than eight live races on any authorized race day,  
1945 except that such permitholder must conduct a full schedule of  
1946 live racing during its race meet consisting of at least eight  
1947 live races per authorized race day for at least 100 days. Any

1948 harness ~~horse~~ permitholder that during the preceding racing  
 1949 season conducted a full schedule of live racing may, at any time  
 1950 during its current race meet, receive full-card broadcasts of  
 1951 harness horse races conducted at harness racetracks outside this  
 1952 state at the harness track of the permitholder and accept wagers  
 1953 on such harness races. With specific authorization from the  
 1954 department ~~division~~ for special racing events, a permitholder  
 1955 may conduct fewer than eight live races or games when the  
 1956 permitholder also broadcasts out-of-state races or games. The  
 1957 department ~~division~~ may not grant more than two such exceptions  
 1958 a year for a permitholder in any 12-month period, and those two  
 1959 exceptions may not be consecutive.

1960 (10) The department ~~division~~ may adopt rules necessary to  
 1961 facilitate commingling of pari-mutuel pools, to ensure the  
 1962 proper calculation of payoffs in circumstances in which  
 1963 different commission percentages are applicable and to regulate  
 1964 the distribution of net proceeds between the horse track and, in  
 1965 this state, the horsemen's associations.

1966 (13) This section does not prohibit the commingling of  
 1967 national pari-mutuel pools by a totalisator company that is  
 1968 licensed under this chapter. Such commingling of national pools  
 1969 is subject to department ~~division~~ review and approval and must  
 1970 be performed in accordance with rules adopted by the department  
 1971 ~~division~~ to ensure accurate calculation and distribution of the  
 1972 pools.

1973 Section 28. Effective October 1, 2015, subsections (2),

1974 (4), and (7) of section 550.615, Florida Statutes, are amended,  
 1975 subsections (8), (9), and (10) are renumbered as subsections  
 1976 (7), (8), and (9), respectively, and amended, and a new  
 1977 subsection (10) is added to that section, to read:

1978 550.615 Intertrack wagering.—

1979 (2) A ~~Any~~ horseracing track or fronton licensed under this  
 1980 chapter which conducted a full schedule of live racing or games  
 1981 in the preceding year and any greyhound racing permitholder that  
 1982 has previously held a full schedule of live racing for 10 years  
 1983 and held an active annual operating license to conduct pari-  
 1984 mutuel wagering for 10 years or was converted pursuant to s.  
 1985 550.054(14), ~~conducted a full schedule of live racing~~ is  
 1986 qualified to, at any time, receive broadcasts of any class of  
 1987 pari-mutuel race or game and accept wagers on such races or  
 1988 games conducted by any class of permitholders licensed under  
 1989 this chapter.

1990 (4) In no event shall any intertrack wager be accepted on  
 1991 the same class of live races or games of any permitholder  
 1992 without the written consent of such operating permitholders  
 1993 conducting the same class of live races or games if the guest  
 1994 track is within the market area of such operating permitholder.  
 1995 A greyhound permitholder licensed under this chapter which  
 1996 accepts intertrack wagers on live greyhound signals is not  
 1997 required to obtain the written consent required by this  
 1998 subsection from any operating greyhound permitholder within its  
 1999 market area.

2000           ~~(7) In any county of the state where there are only two~~  
 2001 ~~permits, one for dogracing and one for jai alai, no intertrack~~  
 2002 ~~wager may be taken during the period of time when a permitholder~~  
 2003 ~~is not licensed to conduct live races or games without the~~  
 2004 ~~written consent of the other permitholder that is conducting~~  
 2005 ~~live races or games. However, if neither permitholder is~~  
 2006 ~~conducting live races or games, either permitholder may accept~~  
 2007 ~~intertrack wagers on horseraces or on the same class of races or~~  
 2008 ~~games, or on both horseraces and the same class of races or~~  
 2009 ~~games as is authorized by its permit.~~

2010           (7)~~(8)~~ ~~In any three contiguous counties of the state where~~  
 2011 ~~there are only three permitholders, all of which are greyhound~~  
 2012 ~~permitholders, If a greyhound any permitholder leases the~~  
 2013 ~~facility of another greyhound permitholder for the purpose of~~  
 2014 ~~conducting all or any portion of ~~the conduct of its live race~~~~  
 2015 ~~meet pursuant to s. 550.475, such lessee may conduct intertrack~~  
 2016 ~~wagering at its pre-lease permitted facility throughout the~~  
 2017 ~~entire year, including while its race live meet is being~~  
 2018 ~~conducted at the leased facility, if such permitholder has~~  
 2019 ~~conducted a full schedule of live racing during the preceding~~  
 2020 ~~fiscal year at its pre-lease permitted facility or at a leased~~  
 2021 ~~facility, or combination thereof.~~

2022           (8)~~(9)~~ ~~In any two contiguous counties of the state in~~  
 2023 ~~which there are located only four active permits, one for~~  
 2024 ~~thoroughbred horse racing, two for greyhound dogracing, and one~~  
 2025 ~~for jai alai games, no intertrack wager may be accepted on the~~

2026 same class of live races or games of any permitholder without  
 2027 the written consent of such operating permitholders conducting  
 2028 the same class of live races or games if the guest track is  
 2029 within the market area of such operating permitholder.

2030 (9)~~(10)~~ All costs of receiving the transmission of the  
 2031 broadcasts shall be borne by the guest track; and all costs of  
 2032 sending the broadcasts shall be borne by the host track.

2033 (10) A greyhound permitholder, identified in subsection  
 2034 (2), operating pursuant to a current year's operating license  
 2035 that specifies no live performances or less than a full schedule  
 2036 of live performances is qualified to:

2037 (a) Receive broadcasts at any time of any class of pari-  
 2038 mutuel race or game and accept wagers on such races or games  
 2039 conducted by any class of permitholder licensed under this  
 2040 chapter; and

2041 (b) Accept wagers on live races conducted at out-of-state  
 2042 greyhound tracks only on the days when such permitholder  
 2043 receives all live races that any greyhound host track in this  
 2044 state makes available.

2045 Section 29. Effective October 1, 2015, subsection (5) and  
 2046 paragraph (g) of subsection (9) of section 550.6305, Florida  
 2047 Statutes, are amended to read:

2048 550.6305 Intertrack wagering; guest track payments;  
 2049 accounting rules.—

2050 (5) The department ~~division~~ shall adopt rules providing an  
 2051 expedient accounting procedure for the transfer of the pari-

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2052 | mutuel pool in order to properly account for payment of state  
2053 | taxes, payment to the guest track, payment to the host track,  
2054 | payment of purses, payment to breeders' associations, payment to  
2055 | horsemen's associations, and payment to the public.

2056 |       (9) A host track that has contracted with an out-of-state  
2057 | horse track to broadcast live races conducted at such out-of-  
2058 | state horse track pursuant to s. 550.3551(5) may broadcast such  
2059 | out-of-state races to any guest track and accept wagers thereon  
2060 | in the same manner as is provided in s. 550.3551.

2061 |       (g)1. Any thoroughbred permitholder which accepts wagers  
2062 | on a simulcast signal must make the signal available to any  
2063 | permitholder that is eligible to conduct intertrack wagering  
2064 | under the provisions of ss. 550.615-550.6345.

2065 |       2. Any thoroughbred permitholder which accepts wagers on a  
2066 | simulcast signal received after 6 p.m. must make such signal  
2067 | available to any permitholder that is eligible to conduct  
2068 | intertrack wagering under the provisions of ss. 550.615-  
2069 | 550.6345, including any permitholder located as specified in s.  
2070 | 550.615(6). Such guest permitholders are authorized to accept  
2071 | wagers on such simulcast signal, notwithstanding any other  
2072 | provision of this chapter to the contrary.

2073 |       3. Any thoroughbred permitholder which accepts wagers on a  
2074 | simulcast signal received after 6 p.m. must make such signal  
2075 | available to any permitholder that is eligible to conduct  
2076 | intertrack wagering under the provisions of ss. 550.615-  
2077 | ~~550.6345, including any permitholder located as specified in s.~~



2078 ~~550.615(9)~~. Such guest permitholders are authorized to accept  
 2079 wagers on such simulcast signals for a number of performances  
 2080 not to exceed that which constitutes a full schedule of live  
 2081 races for a quarter horse permitholder pursuant to s.  
 2082 550.002(10) ~~550.002(11)~~, notwithstanding any other provision of  
 2083 this chapter to the contrary, ~~except that the restrictions~~  
 2084 ~~provided in s. 550.615(9)(a) apply to wagers on such simulcast~~  
 2085 ~~signals.~~

2086  
 2087 No thoroughbred permitholder shall be required to continue to  
 2088 rebroadcast a simulcast signal to any in-state permitholder if  
 2089 the average per performance gross receipts returned to the host  
 2090 permitholder over the preceding 30-day period were less than  
 2091 \$100. Subject to the provisions of s. 550.615(4), as a condition  
 2092 of receiving rebroadcasts of thoroughbred simulcast signals  
 2093 under this paragraph, a guest permitholder must accept  
 2094 intertrack wagers on all live races conducted by all then-  
 2095 operating thoroughbred permitholders.

2096 Section 30. Effective October 1, 2015, section 550.6308,  
 2097 Florida Statutes, is amended to read:

2098 550.6308 Limited intertrack wagering license.—In  
 2099 recognition of the economic importance of the thoroughbred  
 2100 breeding industry to this state, its positive impact on tourism,  
 2101 and of the importance of a permanent thoroughbred sales facility  
 2102 as a key focal point for the activities of the industry, a  
 2103 limited license to conduct intertrack wagering is established to

2104 ensure the continued viability and public interest in  
 2105 thoroughbred breeding in Florida.

2106 (1) (a) Upon application to the department ~~division~~ on or  
 2107 before January 31 of each year, any person that is licensed to  
 2108 conduct public sales of thoroughbred horses pursuant to s.  
 2109 535.01, that has conducted at least 8 ~~15~~ days of thoroughbred  
 2110 horse sales at a permanent sales facility in this state for at  
 2111 least 3 consecutive years, ~~and that has conducted at least 1 day~~  
 2112 ~~of nonwagering thoroughbred racing in this state, with a purse~~  
 2113 ~~structure of at least \$250,000 per year for 2 consecutive years~~  
 2114 ~~before such application,~~ shall be issued a license, subject to  
 2115 the conditions set forth in this section, to conduct intertrack  
 2116 wagering at such a permanent sales facility during the following  
 2117 periods:

2118 (a) Up to 21 days in connection with thoroughbred sales;

2119 (b) Between November 1 and May 8;

2120 (c) Between May 9 and October 31 at such times and on such  
 2121 days as any thoroughbred, jai alai, or a greyhound permitholder  
 2122 in the same county is not conducting live performances; provided  
 2123 that any such permitholder may waive this requirement, in whole  
 2124 or in part, and allow the licensee under this section to conduct  
 2125 intertrack wagering during one or more of the permitholder's  
 2126 live performances; and

2127 (d) During the weekend of the Kentucky Derby, the  
 2128 Preakness, the Belmont, and a Breeders' Cup Meet that is  
 2129 conducted before November 1 and after May 8.

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2130        (e) ~~Only~~ ~~No more than~~ one such license may be issued, and  
2131 ~~the no such~~ license may not be issued for a facility located  
2132 within 50 miles of any for-profit thoroughbred permitholder's  
2133 licensed track ~~thoroughbred permitholder's track~~.

2134        (2) If more than one application is submitted for such  
2135 license, the department ~~division~~ shall determine which applicant  
2136 shall be granted the license. In making its determination, the  
2137 department ~~division~~ shall grant the license to the applicant  
2138 demonstrating superior capabilities, as measured by the length  
2139 of time the applicant has been conducting thoroughbred sales  
2140 within this state or elsewhere, the applicant's total volume of  
2141 thoroughbred horse sales, within this state or elsewhere, the  
2142 length of time the applicant has maintained a permanent  
2143 thoroughbred sales facility in this state, and the quality of  
2144 the facility.

2145        (3) The applicant must comply with the provisions of ss.  
2146 550.125 and 550.1815.

2147        ~~(4) Intertrack wagering under this section may be~~  
2148 ~~conducted only on thoroughbred horse racing, except that~~  
2149 ~~intertrack wagering may be conducted on any class of pari-mutuel~~  
2150 ~~race or game conducted by any class of permitholders licensed~~  
2151 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~  
2152 ~~permitholders in the same county as the licensee under this~~  
2153 ~~section give their consent.~~

2154        (4) ~~(5)~~ The licensee shall be considered a guest track  
2155 under this chapter. The licensee shall pay 2.5 percent of the

2156 total contributions to the daily pari-mutuel pool on wagers  
 2157 accepted at the licensee's facility on greyhound races or jai  
 2158 alai games to the thoroughbred permitholder that is conducting  
 2159 live races for purses to be paid during its current racing meet.  
 2160 If more than one thoroughbred permitholder is conducting live  
 2161 races on a day during which the licensee is conducting  
 2162 intertrack wagering on greyhound races or jai alai games, the  
 2163 licensee shall allocate these funds between the operating  
 2164 thoroughbred permitholders on a pro rata basis based on the  
 2165 total live handle at the operating permitholders' facilities.

2166 Section 31. Section 550.81, Florida Statutes, is created  
 2167 to read:

2168 550.81 Historical racing.-

2169 (1) Subject to the requirements of this section and  
 2170 compliance with the rules adopted by the department, a licensee  
 2171 under s. 550.01215 which has a licensed cardroom or a licensee  
 2172 under s. 550.6308 may operate a historical racing system under  
 2173 all of the following conditions:

2174 (a) Identifying information about any race or the  
 2175 competing horses in that race, other than handicapping data, is  
 2176 not revealed to a patron until after the patron's wagers are  
 2177 irrevocably placed.

2178 (b) Once the wagers are placed, the terminal provides the  
 2179 patron a view of all or a portion of the race and displays the  
 2180 results of the race.

2181 (c) The historical racing takes place via individual  
 2182 wagering terminals located at a facility at which the conduct of  
 2183 other pari-mutuel wagering is authorized under a license issued  
 2184 under s. 550.01215 or s. 550.6308.

2185 (d) The licensee has paid the fee under s. 550.0951(5)(b).

2186 (e) Casino game graphics, themes, or titles, including,  
 2187 but not limited to, depictions of slot machine-style symbols,  
 2188 cards, craps, roulette, lotto, or bingo are not used.

2189 (f) Video or mechanical reel displays are not used.

2190 (g) Coins, currency, or tokens are not dispensed from a  
 2191 historical racing wagering terminal.

2192 (2) A licensee may not operate a historical racing system  
 2193 until such time as at least one licensed destination resort  
 2194 opens its limited gaming facilities to the public for the play  
 2195 of limited gaming in accordance with chapter 551 or 24 months  
 2196 after the date a license for a destination resort is issued  
 2197 under chapter 551, whichever is earlier.

2198 (3) An eligible licensee may operate up to 250 historical  
 2199 racing wagering terminals.

2200 (4) The moneys wagered on races via the historical racing  
 2201 system shall be separated from all other pari-mutuel wagers  
 2202 accepted by the licensee.

2203 (5) The department shall adopt rules necessary to  
 2204 implement, administer, and regulate the operation of historical  
 2205 racing systems. The rules must include:

2206        (a) Procedures for regulating, managing, and auditing the  
 2207 operation, financial data, and program information relating to  
 2208 historical racing systems which enable the department to audit  
 2209 the operation, financial data, and program information of the  
 2210 licensee authorized to operate a historical racing system.

2211        (b) Technical requirements to operate a historical racing  
 2212 system, including ensuring that the blended takeout from the  
 2213 pari-mutuel pools on historical racing shall not be higher than  
 2214 12 percent of the total handle on historical racing conducted at  
 2215 a facility.

2216        (c) Procedures to require a licensee to maintain specified  
 2217 records and submit any data, information, record, or report,  
 2218 including financial and income records, required by this chapter  
 2219 or rules of the department.

2220        (d) Procedures relating to historical racing system  
 2221 revenues, including verifying and accounting for such revenues,  
 2222 auditing, and collecting taxes and fees.

2223        (e) Minimum standards for security of the facilities,  
 2224 including floor plans, security cameras, and other security  
 2225 equipment.

2226        (f) Procedures to ensure that a historical racing wagering  
 2227 terminal does not enter the state and will not be offered for  
 2228 play until it has been tested and certified by a licensed  
 2229 testing laboratory for play in the state. The procedures shall  
 2230 address measures to scientifically test and technically evaluate  
 2231 historical racing wagering terminals for compliance with laws

2232 and rules regulating historical racing systems. The department  
2233 may contract with an independent testing laboratory to conduct  
2234 any necessary testing. The independent testing laboratory must  
2235 have a national reputation indicating that it is demonstrably  
2236 competent and qualified to scientifically test and evaluate  
2237 historical racing systems to ensure that the system performs the  
2238 functions required by laws and rules. An independent testing  
2239 laboratory may not be owned or controlled by a licensee. The  
2240 selection of an independent laboratory for any purpose related  
2241 to the conduct of historical racing systems shall be made from a  
2242 list of laboratories approved by the department. The department  
2243 shall adopt rules regarding the testing, certification, control,  
2244 and approval of historical racing systems.

2245 (6) Notwithstanding any other provision of the law, the  
2246 proceeds of pari-mutuel vouchers purchased for historical racing  
2247 that are not redeemed within 1 year after purchase shall be  
2248 distributed as follows:

2249 (a) Fifty percent shall be retained by the licensee.

2250 (b) Fifty percent shall be used for purses or player  
2251 awards on live racing or games conducted at the licensee's  
2252 facility. For a greyhound permitholder who elected not to  
2253 conduct live races, fifty percent shall be remitted to the state  
2254 pursuant to s. 550.1645.

2255 Section 32. Effective July 1, 2015, chapter 551, Florida  
2256 Statutes, is redesignated as the "Florida Gaming Control Act."

2257 Section 33. Chapter 551, Florida Statutes, consisting of

2258 sections 551.101 through 551.123, is designated as part I of  
 2259 that chapter and entitled "Slot Machines."

2260 Section 34. Effective October 1, 2015, subsections (1)  
 2261 through (4), (8), (10), and (11) of section 551.102, Florida  
 2262 Statutes, are amended to read:

2263 551.102 Definitions.—As used in this chapter, the term:

2264 (1) "Department" means the Department of Gaming Control.

2265 (2) "Designated slot machine gaming area" means the area  
 2266 or areas of a facility of a slot machine licensee in which slot  
 2267 machine gaming may be conducted in accordance with the  
 2268 provisions of this chapter.

2269 (3)-(1) "Distributor" means any person who sells, leases,  
 2270 or offers or otherwise provides, distributes, or services any  
 2271 slot machine or associated equipment for use or play of slot  
 2272 machines in this state. A manufacturer may be a distributor  
 2273 within the state.

2274 ~~(3) "Division" means the Division of Pari-mutuel Wagering~~  
 2275 ~~of the Department of Business and Professional Regulation.~~

2276 (4) "Eligible facility" means:

2277 (a) Any licensed pari-mutuel facility located in Miami-  
 2278 Dade County or Broward County existing at the time of adoption  
 2279 of s. 23, Art. X of the State Constitution that has conducted  
 2280 live racing or games during calendar years 2002 and 2003 and has  
 2281 been approved by a majority of voters in a countywide referendum  
 2282 to have slot machines at such facility in the respective county;

2283 (b) Any licensed pari-mutuel facility located within a



2284 county as defined in s. 125.011, provided such facility has  
 2285 conducted live racing for 2 consecutive calendar years  
 2286 immediately preceding its application for a slot machine  
 2287 license, pays the required license fee, and meets the other  
 2288 requirements of this chapter; or

2289 (c) A any licensed pari-mutuel facility located in a any  
 2290 ~~other~~ county in which a majority of voters have approved slot  
 2291 machines at eligible such facilities in a countywide referendum  
 2292 held concurrently with a general election in which the offices  
 2293 of President and Vice President of the United States were on the  
 2294 ballot if the permitholder has conducted at least 250 live  
 2295 performances at the facility in accordance with that  
 2296 permitholder's operating license for each of the 25 consecutive  
 2297 ~~pursuant to a statutory or constitutional authorization after~~  
 2298 ~~the effective date of this section in the respective county,~~  
 2299 ~~provided such facility has conducted a full schedule of live~~  
 2300 ~~racing for 2 consecutive calendar years immediately preceding~~  
 2301 its initial application for a slot machine license, pays the  
 2302 required license ~~licensed~~ fee, and meets the other requirements  
 2303 of this chapter. However, a license to conduct slot machine  
 2304 gaming may not be granted by the department pursuant to this  
 2305 paragraph until such time as at least one licensed destination  
 2306 resort opens its limited gaming facilities to the public for the  
 2307 play of limited gaming in accordance with part II of chapter 551  
 2308 or 24 months after the date such destination resort license was  
 2309 issued, whichever is earlier.

2310 (8) "Slot machine" means any mechanical or electrical  
 2311 contrivance, terminal that may or may not be capable of  
 2312 downloading slot games from a central server system, machine, or  
 2313 other device that, upon insertion of a coin, bill, ticket,  
 2314 token, or similar object or upon payment of any consideration  
 2315 whatsoever, including the use of any electronic payment system  
 2316 except a credit card or debit card, is available to play or  
 2317 operate, the play or operation of which, whether by reason of  
 2318 skill or application of the element of chance or both, may  
 2319 deliver or entitle the person or persons playing or operating  
 2320 the contrivance, terminal, machine, or other device to receive  
 2321 cash, billets, tickets, tokens, or electronic credits to be  
 2322 exchanged for cash or to receive merchandise or anything of  
 2323 value whatsoever, whether the payoff is made automatically from  
 2324 the machine or manually. The term includes associated equipment  
 2325 necessary to conduct the operation of the contrivance, terminal,  
 2326 machine, or other device. Slot machines may use spinning reels,  
 2327 video displays, or both. A slot machine is not a "coin-operated  
 2328 amusement machine" as defined in s. 212.02(24) or an amusement  
 2329 game or machine as described in s. 546.10 ~~849.161~~, and slot  
 2330 machines are not subject to the tax imposed by s. 212.05(1)(h).

2331 (10) "Slot machine license" means a license issued by the  
 2332 department ~~division~~ authorizing a pari-mutuel permitholder to  
 2333 place and operate slot machines as provided by s. 23, Art. X of  
 2334 the State Constitution, the provisions of this chapter, and  
 2335 department ~~division~~ rules.

2336 (11) "Slot machine licensee" means a pari-mutuel  
 2337 permitholder who holds a license issued by the department  
 2338 ~~division~~ pursuant to this chapter that authorizes such person to  
 2339 possess a slot machine within facilities specified in s. 23,  
 2340 Art. X of the State Constitution and allows slot machine gaming.

2341 Section 35. Effective October 1, 2015, section 551.104,  
 2342 Florida Statutes, is amended to read:

2343 551.104 License to conduct slot machine gaming.—

2344 (1) Upon application and a finding by the department  
 2345 ~~division~~ after investigation that the application is complete  
 2346 and the applicant is qualified and payment of the initial  
 2347 license fee, the department ~~division~~ may issue a license to  
 2348 conduct slot machine gaming in the designated slot machine  
 2349 gaming area of the eligible facility. Once licensed, slot  
 2350 machine gaming may be conducted subject to the requirements of  
 2351 this chapter and rules adopted pursuant thereto.

2352 (2) An application may be approved by the department  
 2353 ~~division~~ only after the voters of the county where the  
 2354 applicant's facility is located have authorized by referendum  
 2355 slot machines within pari-mutuel facilities in that county as  
 2356 specified in s. 23, Art. X of the State Constitution or as  
 2357 specified in s. 551.102(4).

2358 (3) A slot machine license may be issued only to a  
 2359 licensed pari-mutuel permitholder, and slot machine gaming may  
 2360 be conducted only at the eligible facility at which the  
 2361 permitholder is authorized under its valid pari-mutuel wagering

2362 permit to conduct pari-mutuel wagering activities.

2363 (4) As a condition of licensure and to maintain continued  
 2364 authority for the conduct of slot machine gaming, the slot  
 2365 machine licensee shall:

2366 (a) Continue to be in compliance with this chapter.

2367 (b) Continue to be in compliance with chapter 550, where  
 2368 applicable, and maintain the pari-mutuel permit and license in  
 2369 good standing pursuant to the provisions of chapter 550.

2370 Notwithstanding any contrary provision of law and in order to  
 2371 expedite the operation of slot machines at eligible facilities,  
 2372 any eligible facility shall be entitled within 60 days after the  
 2373 effective date of this act to amend its 2006-2007 pari-mutuel  
 2374 wagering operating license issued by the department ~~division~~  
 2375 under ss. 550.0115 and 550.01215. The department ~~division~~ shall  
 2376 issue a new license to the eligible facility to effectuate any  
 2377 approved change.

2378 (c) Conduct no fewer than a full schedule of live racing  
 2379 or games as defined in s. 550.002(10) ~~550.002(11)~~. For purposes  
 2380 of maintaining licensure under this chapter, the live racing  
 2381 requirement in this paragraph does not apply to a greyhound  
 2382 racing permitholder with a current pari-mutuel wagering  
 2383 operating license that meet the requirements of an eligible  
 2384 facility as defined in s. 551.102(4). A permitholder's  
 2385 responsibility to conduct such number of live races or games  
 2386 shall be reduced by the number of races or games that could not  
 2387 be conducted due to the direct result of fire, war, hurricane,

2388 or other disaster or event beyond the control of the  
 2389 permitholder.

2390 (d) Upon approval of any changes relating to the pari-  
 2391 mutuel permit by the department ~~division~~, be responsible for  
 2392 providing appropriate current and accurate documentation on a  
 2393 timely basis to the department ~~division~~ in order to continue the  
 2394 slot machine license in good standing. Changes in ownership or  
 2395 interest of a slot machine license of 5 percent or more of the  
 2396 stock or other evidence of ownership or equity in the slot  
 2397 machine license or any parent corporation or other business  
 2398 entity that in any way owns or controls the slot machine license  
 2399 shall be approved by the department ~~division~~ prior to such  
 2400 change, unless the owner is an existing holder of that license  
 2401 who was previously approved by the department ~~division~~. Changes  
 2402 in ownership or interest of a slot machine license of less than  
 2403 5 percent, unless such change results in a cumulative total of 5  
 2404 percent or more, shall be reported to the department ~~division~~  
 2405 within 20 days after the change. The department ~~division~~ may  
 2406 then conduct an investigation to ensure that the license is  
 2407 properly updated to show the change in ownership or interest. No  
 2408 reporting is required if the person is holding 5 percent or less  
 2409 equity or securities of a corporate owner of the slot machine  
 2410 licensee that has its securities registered pursuant to s. 12 of  
 2411 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk, and  
 2412 if such corporation or entity files with the United States  
 2413 Securities and Exchange Commission the reports required by s. 13

2414 of that act or if the securities of the corporation or entity  
 2415 are regularly traded on an established securities market in the  
 2416 United States. A change in ownership or interest of less than 5  
 2417 percent which results in a cumulative ownership or interest of 5  
 2418 percent or more shall be approved by the department ~~division~~  
 2419 prior to such change unless the owner is an existing holder of  
 2420 the license who was previously approved by the department  
 2421 ~~division~~.

2422 (e) Allow the department ~~division~~ and the Department of  
 2423 Law Enforcement unrestricted access to and right of inspection  
 2424 of facilities of a slot machine licensee in which any activity  
 2425 relative to the conduct of slot machine gaming is conducted.

2426 (f) Ensure that the facilities-based computer system that  
 2427 the licensee will use for operational and accounting functions  
 2428 of the slot machine facility is specifically structured to  
 2429 facilitate regulatory oversight. The facilities-based computer  
 2430 system shall be designed to provide the department ~~division~~ and  
 2431 the Department of Law Enforcement with the ability to monitor,  
 2432 at any time on a real-time basis, the wagering patterns,  
 2433 payouts, tax collection, and such other operations as necessary  
 2434 to determine whether the facility is in compliance with  
 2435 statutory provisions and rules adopted by the department  
 2436 ~~division~~ for the regulation and control of slot machine gaming.  
 2437 The department ~~division~~ and the Department of Law Enforcement  
 2438 shall have complete and continuous access to this system. Such  
 2439 access shall include the ability of either the department

2440 ~~division~~ or the Department of Law Enforcement to suspend play  
2441 immediately on particular slot machines if monitoring of the  
2442 system indicates possible tampering or manipulation of those  
2443 slot machines or the ability to suspend play immediately of the  
2444 entire operation if the tampering or manipulation is of the  
2445 computer system itself. The computer system shall be reviewed  
2446 and approved by the department ~~division~~ to ensure necessary  
2447 access, security, and functionality. The department ~~division~~ may  
2448 adopt rules to provide for the approval process.

2449 (g) Ensure that each slot machine is protected from  
2450 manipulation or tampering to affect the random probabilities of  
2451 winning plays. The department ~~division~~ or the Department of Law  
2452 Enforcement shall have the authority to suspend play upon  
2453 reasonable suspicion of any manipulation or tampering. When play  
2454 has been suspended on any slot machine, the department ~~division~~  
2455 or the Department of Law Enforcement may examine any slot  
2456 machine to determine whether the machine has been tampered with  
2457 or manipulated and whether the machine should be returned to  
2458 operation.

2459 (h) Submit a security plan, including the facilities'  
2460 floor plan, the locations of security cameras, and a listing of  
2461 all security equipment that is capable of observing and  
2462 electronically recording activities being conducted in the  
2463 facilities of the slot machine licensee. The security plan must  
2464 meet the minimum security requirements as determined by the  
2465 department ~~division~~ under s. 551.103(1)(i) and be implemented

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2466 prior to operation of slot machine gaming. The slot machine  
2467 licensee's facilities must adhere to the security plan at all  
2468 times. Any changes to the security plan must be submitted by the  
2469 licensee to the department ~~division~~ prior to implementation. The  
2470 department ~~division~~ shall furnish copies of the security plan  
2471 and changes in the plan to the Department of Law Enforcement.

2472 (i) Create and file with the department ~~division~~ a written  
2473 policy for:

2474 1. Creating opportunities to purchase from vendors in this  
2475 state, including minority vendors.

2476 2. Creating opportunities for employment of residents of  
2477 this state, including minority residents.

2478 3. Ensuring opportunities for construction services from  
2479 minority contractors.

2480 4. Ensuring that opportunities for employment are offered  
2481 on an equal, nondiscriminatory basis.

2482 5. Training for employees on responsible gaming and  
2483 working with a compulsive or addictive gambling prevention  
2484 program to further its purposes as provided for in s. 551.118.

2485 6. The implementation of a drug-testing program that  
2486 includes, but is not limited to, requiring each employee to sign  
2487 an agreement that he or she understands that the slot machine  
2488 facility is a drug-free workplace.

2489

2490 The slot machine licensee shall use the Internet-based job-  
2491 listing system of the Department of Economic Opportunity in



2492 advertising employment opportunities. Beginning in June 2007,  
 2493 each slot machine licensee shall provide an annual report to the  
 2494 department ~~division~~ containing information indicating compliance  
 2495 with this paragraph in regard to minority persons.

2496 (j) Ensure that the payout percentage of a slot machine  
 2497 gaming facility is at least 85 percent.

2498 (5) A slot machine license is not transferable.

2499 (6) A slot machine licensee shall keep and maintain  
 2500 permanent daily records of its slot machine operation and shall  
 2501 maintain such records for a period of not less than 5 years.  
 2502 These records must include all financial transactions and  
 2503 contain sufficient detail to determine compliance with the  
 2504 requirements of this chapter. All records shall be available for  
 2505 audit and inspection by the department ~~division~~, the Department  
 2506 of Law Enforcement, or other law enforcement agencies during the  
 2507 licensee's regular business hours.

2508 (7) A slot machine licensee shall file with the department  
 2509 ~~division~~ a monthly report containing the required records of  
 2510 such slot machine operation. The required reports shall be  
 2511 submitted on forms prescribed by the department ~~division~~ and  
 2512 shall be due at the same time as the monthly pari-mutuel reports  
 2513 are due to the department ~~division~~, and the reports shall be  
 2514 deemed public records once filed.

2515 (8) A slot machine licensee shall file with the department  
 2516 ~~division~~ an audit of the receipt and distribution of all slot  
 2517 machine revenues provided by an independent certified public

2518 accountant verifying compliance with all financial and auditing  
 2519 provisions of this chapter and the associated rules adopted  
 2520 under this chapter. The audit must include verification of  
 2521 compliance with all statutes and rules regarding all required  
 2522 records of slot machine operations. Such audit shall be filed  
 2523 within 60 days after the completion of the permitholder's pari-  
 2524 mutuel meet.

2525 (9) The department ~~division~~ may share any information with  
 2526 the Department of Law Enforcement, any other law enforcement  
 2527 agency having jurisdiction over slot machine gaming or pari-  
 2528 mutuel activities, or any other state or federal law enforcement  
 2529 agency the department ~~division~~ or the Department of Law  
 2530 Enforcement deems appropriate. Any law enforcement agency having  
 2531 jurisdiction over slot machine gaming or pari-mutuel activities  
 2532 may share any information obtained or developed by it with the  
 2533 department ~~division~~.

2534 (10) (a)1. No slot machine license or renewal thereof shall  
 2535 be issued to an applicant holding a permit under chapter 550 to  
 2536 conduct pari-mutuel wagering meets of thoroughbred racing unless  
 2537 the applicant has on file with the department ~~division~~ a binding  
 2538 written agreement between the applicant and the Florida  
 2539 Horsemen's Benevolent and Protective Association, Inc.,  
 2540 governing the payment of purses on live thoroughbred races  
 2541 conducted at the licensee's pari-mutuel facility. In addition,  
 2542 no slot machine license or renewal thereof shall be issued to  
 2543 such an applicant unless the applicant has on file with the

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2544 department ~~division~~ a binding written agreement between the  
2545 applicant and the Florida Thoroughbred Breeders' Association,  
2546 Inc., governing the payment of breeders', stallion, and special  
2547 racing awards on live thoroughbred races conducted at the  
2548 licensee's pari-mutuel facility. The agreement governing purses  
2549 and the agreement governing awards may direct the payment of  
2550 such purses and awards from revenues generated by any wagering  
2551 or gaming the applicant is authorized to conduct under Florida  
2552 law. All purses and awards shall be subject to the terms of  
2553 chapter 550. All sums for breeders', stallion, and special  
2554 racing awards shall be remitted monthly to the Florida  
2555 Thoroughbred Breeders' Association, Inc., for the payment of  
2556 awards subject to the administrative fee authorized in s.  
2557 550.2625(3).

2558 2. No slot machine license or renewal thereof shall be  
2559 issued to an applicant holding a permit under chapter 550 to  
2560 conduct pari-mutuel wagering meets of quarter horse racing  
2561 unless the applicant has on file with the department ~~division~~ a  
2562 binding written agreement between the applicant and the Florida  
2563 Quarter Horse Racing Association or the association representing  
2564 a majority of the horse owners and trainers at the applicant's  
2565 eligible facility, governing the payment of purses on live  
2566 quarter horse races conducted at the licensee's pari-mutuel  
2567 facility. The agreement governing purses may direct the payment  
2568 of such purses from revenues generated by any wagering or gaming  
2569 the applicant is authorized to conduct under Florida law. All

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2570 purses shall be subject to the terms of chapter 550.

2571 (b) The department ~~division~~ shall suspend a slot machine  
2572 license if one or more of the agreements required under  
2573 paragraph (a) are terminated or otherwise cease to operate or if  
2574 the department ~~division~~ determines that the licensee is  
2575 materially failing to comply with the terms of such an  
2576 agreement. Any such suspension shall take place in accordance  
2577 with chapter 120.

2578 (c)1. If an agreement required under paragraph (a) cannot  
2579 be reached prior to the initial issuance of the slot machine  
2580 license, either party may request arbitration or, in the case of  
2581 a renewal, if an agreement required under paragraph (a) is not  
2582 in place 120 days prior to the scheduled expiration date of the  
2583 slot machine license, the applicant shall immediately ask the  
2584 American Arbitration Association to furnish a list of 11  
2585 arbitrators, each of whom shall have at least 5 years of  
2586 commercial arbitration experience and no financial interest in  
2587 or prior relationship with any of the parties or their  
2588 affiliated or related entities or principals. Each required  
2589 party to the agreement shall select a single arbitrator from the  
2590 list provided by the American Arbitration Association within 10  
2591 days of receipt, and the individuals so selected shall choose  
2592 one additional arbitrator from the list within the next 10 days.

2593 2. If an agreement required under paragraph (a) is not in  
2594 place 60 days after the request under subparagraph 1. in the  
2595 case of an initial slot machine license or, in the case of a

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2596 renewal, 60 days prior to the scheduled expiration date of the  
2597 slot machine license, the matter shall be immediately submitted  
2598 to mandatory binding arbitration to resolve the disagreement  
2599 between the parties. The three arbitrators selected pursuant to  
2600 subparagraph 1. shall constitute the panel that shall arbitrate  
2601 the dispute between the parties pursuant to the American  
2602 Arbitration Association Commercial Arbitration Rules and chapter  
2603 682.

2604 3. At the conclusion of the proceedings, which shall be no  
2605 later than 90 days after the request under subparagraph 1. in  
2606 the case of an initial slot machine license or, in the case of a  
2607 renewal, 30 days prior to the scheduled expiration date of the  
2608 slot machine license, the arbitration panel shall present to the  
2609 parties a proposed agreement that the majority of the panel  
2610 believes equitably balances the rights, interests, obligations,  
2611 and reasonable expectations of the parties. The parties shall  
2612 immediately enter into such agreement, which shall satisfy the  
2613 requirements of paragraph (a) and permit issuance of the pending  
2614 annual slot machine license or renewal. The agreement produced  
2615 by the arbitration panel under this subparagraph shall be  
2616 effective until the last day of the license or renewal period or  
2617 until the parties enter into a different agreement. Each party  
2618 shall pay its respective costs of arbitration and shall pay one-  
2619 half of the costs of the arbitration panel, unless the parties  
2620 otherwise agree. If the agreement produced by the arbitration  
2621 panel under this subparagraph remains in place 120 days prior to

2622 the scheduled issuance of the next annual license renewal, then  
 2623 the arbitration process established in this paragraph will begin  
 2624 again.

2625 4. In the event that neither of the agreements required  
 2626 under subparagraph (a)1. or the agreement required under  
 2627 subparagraph (a)2. are in place by the deadlines established in  
 2628 this paragraph, arbitration regarding each agreement will  
 2629 proceed independently, with separate lists of arbitrators,  
 2630 arbitration panels, arbitration proceedings, and resulting  
 2631 agreements.

2632 5. With respect to the agreements required under paragraph  
 2633 (a) governing the payment of purses, the arbitration and  
 2634 resulting agreement called for under this paragraph shall be  
 2635 limited to the payment of purses from slot machine revenues  
 2636 only.

2637 (d) If any provision of this subsection or its application  
 2638 to any person or circumstance is held invalid, the invalidity  
 2639 does not affect other provisions or applications of this  
 2640 subsection or chapter which can be given effect without the  
 2641 invalid provision or application, and to this end the provisions  
 2642 of this subsection are severable.

2643 Section 36. Paragraph (a) of subsection (2) of section  
 2644 551.106, Florida Statutes, is amended to read:

2645 551.106 License fee; tax rate; penalties.—

2646 (2) TAX ON SLOT MACHINE REVENUES.—

2647 (a) The tax rate on slot machine revenues at each facility

2648 shall be 35 percent; however, effective on the date at least one  
 2649 licensed destination resort opens its limited gaming facilities  
 2650 to the public for the play of limited gaming pursuant to part  
 2651 II, or 24 months after the date such license for a destination  
 2652 resort is issued, whichever is earlier, the tax rate on slot  
 2653 machine revenues at each facility shall be 25 percent. If,  
 2654 during any state fiscal year, the aggregate amount of tax paid  
 2655 to the state by all slot machine licensees in Broward and Miami-  
 2656 Dade Counties is less than the aggregate amount of tax paid to  
 2657 the state by all slot machine licensees in the 2008-2009 fiscal  
 2658 year, each slot machine licensee shall pay to the state within  
 2659 45 days after the end of the state fiscal year a surcharge equal  
 2660 to its pro rata share of an amount equal to the difference  
 2661 between the aggregate amount of tax paid to the state by all  
 2662 slot machine licensees in the 2008-2009 fiscal year and the  
 2663 amount of tax paid during the fiscal year. Each licensee's pro  
 2664 rata share shall be an amount determined by dividing the number  
 2665 1 by the number of facilities licensed to operate slot machines  
 2666 during the applicable fiscal year, regardless of whether the  
 2667 facility is operating such machines.

2668 Section 37. Effective October 1, 2015, subsections (2) and  
 2669 (4) of section 551.114, Florida Statutes, are amended to read:

2670 551.114 Slot machine gaming areas.—

2671 (2) The slot machine licensee shall display pari-mutuel  
 2672 races or games within the designated slot machine gaming areas  
 2673 and offer patrons within the designated slot machine gaming

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2674 areas the ability to engage in pari-mutuel wagering on any live,  
2675 intertrack, and simulcast races conducted or offered to patrons  
2676 of the licensed facility.

2677 (4) Designated slot machine gaming areas may be located  
2678 within the current live gaming facility or in an existing  
2679 building that must be contiguous and connected to the live  
2680 gaming facility. If a designated slot machine gaming area is to  
2681 be located in a building that is to be constructed, that new  
2682 building must be contiguous and connected to the live gaming  
2683 facility. For a greyhound permitholder licensed to conduct pari-  
2684 mutuel activities pursuant to a current year's operating license  
2685 that does not require live performances, designated slot machine  
2686 gaming areas may be located only within the eligible facility  
2687 for which the initial annual slot machine license was issued.

2688 Section 38. Section 551.116, Florida Statutes, is amended  
2689 to read:

2690 551.116 Days and hours of operation.—Slot machine gaming  
2691 areas may be open daily throughout the year. The slot machine  
2692 gaming areas may be open ~~a cumulative amount of 18 hours per day~~  
2693 ~~on Monday through Friday and 24 hours per day on Saturday and~~  
2694 ~~Sunday and on those holidays specified in s. 110.117(1).~~

2695 Section 39. Part II of chapter 551, Florida Statutes,  
2696 consisting of sections 551.201 through 551.231, as created by  
2697 this act, is entitled "Destination Resorts."

2698 Section 40. Section 551.201, Florida Statutes, is created  
2699 to read:



2700           551.201 This part may be cited as the "Destination Resort  
 2701 Act" or the "Resort Act."

2702           Section 41. Section 551.202, Florida Statutes, is created  
 2703 to read:

2704           551.202 Definitions.—As used in this part, the term:

2705           (1) "Ancillary areas" includes the following areas within  
 2706 a limited gaming facility, unless the context otherwise  
 2707 requires:

2708           (a) Major aisles, the maximum area of which may not exceed  
 2709 the limit within any part of the limited gaming facility as  
 2710 specified by the department.

2711           (b) Back-of-house facilities.

2712           (c) Any reception or information counter.

2713           (d) Any area designated for the serving or consumption of  
 2714 food and beverages.

2715           (e) Any retail outlet.

2716           (f) Any area designated for performances.

2717           (g) Any area designated for aesthetic or decorative  
 2718 displays.

2719           (h) Staircases, staircase landings, escalators, lifts, and  
 2720 lift lobbies.

2721           (i) Bathrooms.

2722           (j) Any other area that is not intended to be used for the  
 2723 conduct or playing of games or as a gaming pit as defined by  
 2724 rules of the department or specified in the application for the  
 2725 destination resort license.

2726        (2) "Applicant," as the context requires, means a person  
 2727 or entity who applies for a resort license, supplier license, or  
 2728 occupational license. A county, municipality, or other unit of  
 2729 government is prohibited from applying for a resort license.

2730        (3) "Credit" means the method by which a licensee issues  
 2731 chips or tokens to a wagerer of the licensee to play games or  
 2732 slot machines, in return for which the wagerer executes a credit  
 2733 instrument to evidence the debt owed. The issuance of credit to  
 2734 a wagerer may not be deemed a loan from the licensee to the  
 2735 wagerer.

2736        (4) "Destination resort" or "resort" means a freestanding,  
 2737 land-based structure in which limited gaming may be conducted. A  
 2738 destination resort is a mixed-use development consisting of a  
 2739 combination of various tourism amenities and facilities,  
 2740 including, but not limited to, hotels, villas, restaurants,  
 2741 limited gaming facilities, convention facilities, attractions,  
 2742 entertainment facilities, service centers, and shopping centers.

2743        (5) "Destination resort license" or "resort license" means  
 2744 a license to operate and maintain a destination resort having a  
 2745 limited gaming facility.

2746        (6) "District" means a county in which a majority of the  
 2747 electors voting in a countywide referendum have passed a  
 2748 referendum allowing for limited gaming.

2749        (7) "Gaming pit" means an area commonly known as a gaming  
 2750 pit or any similar area from which limited gaming employees  
 2751 administer and supervise the games.

2752 (8) "Gross receipts" means the total of cash or cash  
 2753 equivalents received or retained as winnings by a resort  
 2754 licensee and the compensation received for conducting any game  
 2755 in which the resort licensee is not party to a wager, less cash  
 2756 taken in fraudulent acts perpetrated against the resort licensee  
 2757 for which the resort licensee is not reimbursed. The term does  
 2758 not include:

2759 (a) Counterfeit money or tokens;

2760 (b) Coins of other countries which are received in gaming  
 2761 devices and which cannot be converted into United States  
 2762 currency;

2763 (c) Promotional credits or free play as provided by the  
 2764 resort licensee as a means of marketing the limited gaming  
 2765 facility; or

2766 (d) The amount of any credit extended until collected.

2767 (9) "Individual" means a natural person.

2768 (10) "Institutional investor" means, but is not limited  
 2769 to:

2770 (a) A retirement fund administered by a public agency for  
 2771 the exclusive benefit of federal, state, or county public  
 2772 employees.

2773 (b) An employee benefit plan or pension fund that is  
 2774 subject to the Employee Retirement Income Security Act of 1974.

2775 (c) An investment company registered under the Investment  
 2776 Company Act of 1940.

2777        (d) A collective investment trust organized by a bank  
 2778 under 12 C.F.R. s. 9.18.

2779        (e) A closed-end investment trust.

2780        (f) A life insurance company or property and casualty  
 2781 insurance company.

2782        (g) A financial institution.

2783        (h) An investment advisor registered under the Investment  
 2784 Advisers Act of 1940.

2785        (i) Such other persons as the department may determine for  
 2786 reasons consistent with the policies of this part.

2787        (11) "Junket enterprise" means any person who, for  
 2788 compensation, employs or otherwise engages in the procurement or  
 2789 referral of persons for a junket to a destination resort  
 2790 licensed under this part regardless of whether those activities  
 2791 occur within this state. The term does not include a resort  
 2792 licensee or applicant for a resort license or a person holding  
 2793 an occupational license.

2794        (12) "License," as the context requires, means a resort  
 2795 license, supplier license, or occupational license.

2796        (13) "Licensee," as the context requires, means a person  
 2797 who is licensed as a resort licensee, supplier licensee, or  
 2798 occupational licensee.

2799        (14) "Limited gaming," "game," or "gaming," as the context  
 2800 requires, means the games authorized under this part in a  
 2801 limited gaming facility, including, but not limited to, those  
 2802 commonly known as baccarat, blackjack (or twenty-one), poker,

2803 craps, slot machines, video gaming of chance, roulette wheels,  
 2804 Klondike tables, punch-board, faro layout, numbers ticket, push  
 2805 car, jar ticket, pull tab, or their common variants, or any  
 2806 other game of chance or wagering device that is authorized by  
 2807 the department.

2808 (15) "Limited gaming employee" or "gaming employee" means  
 2809 any employee of a resort licensee, including, but not limited  
 2810 to:

2811 (a) Cashiers.

2812 (b) Change personnel.

2813 (c) Count room personnel.

2814 (d) Slot machine attendants.

2815 (e) Hosts or other individuals authorized to extend  
 2816 complimentary services, including employees performing functions  
 2817 similar to those performed by a representative for a junket  
 2818 enterprise.

2819 (f) Machine mechanics and computer technicians performing  
 2820 duties on machines with gaming-related functions or table game  
 2821 device technicians.

2822 (g) Security personnel.

2823 (h) Surveillance personnel.

2824 (i) Promotional play supervisors, credit supervisors, pit  
 2825 supervisors, cashier supervisors, gaming shift supervisors,  
 2826 table game managers, assistant managers, and other supervisors  
 2827 and managers.

2828 (j) Boxmen.

2829 (k) Dealers or croupiers.

2830 (l) Floormen.

2831 (m) Personnel authorized to issue promotional credits.

2832 (n) Personnel authorized to issue credit.

2833

2834 The term "limited gaming employee" includes a person employed by  
2835 a person or entity other than a resort licensee who performs the  
2836 functions of a limited gaming employee. The term "limited gaming  
2837 employee" does not include bartenders, cocktail servers, or  
2838 other persons engaged in preparing or serving food or beverages,  
2839 clerical or secretarial personnel, parking attendants,  
2840 janitorial staff, stage hands, sound and light technicians, and  
2841 other nongaming personnel as determined by the department.

2842 (16) "Limited gaming facility" means the limited gaming  
2843 floor and any ancillary areas.

2844 (17) "Limited gaming floor" means the approved gaming area  
2845 of a resort. Ancillary areas in or directly adjacent to the  
2846 gaming area are not part of the limited gaming floor for  
2847 purposes of calculating the size of the limited gaming floor.

2848 (18) "Managerial employee" has the same meaning as in s.  
2849 447.203(4).

2850 (19) "Occupational licensee" means a person who is  
2851 licensed to be a limited gaming employee.

2852 (20) "Qualifier" means an affiliate, affiliated company,  
2853 officer, director, or managerial employee of an applicant for a  
2854 resort license, or a person who holds a direct or indirect

2855 equity interest in the applicant. The term may include an  
2856 institutional investor. As used in this subsection, the terms  
2857 "affiliate," "affiliated company," and "a person who holds a  
2858 direct or indirect equity interest in the applicant" do not  
2859 include a partnership, a joint venture relationship, a  
2860 shareholder of a corporation, a member of a limited liability  
2861 company, or a partner in a limited liability partnership that  
2862 has a direct or indirect equity interest in the applicant for a  
2863 resort license of 5 percent or less and is not involved in the  
2864 gaming operations as defined by the rules of the department.

2865 (21) "Supplier licensee" or "supplier" means a person who  
2866 is licensed to furnish gaming equipment, devices, or supplies or  
2867 other goods or services to a resort licensee.

2868 (22) "Wagerer" means a person who plays a game authorized  
2869 under this part.

2870 Section 42. Section 551.204, Florida Statutes, is created  
2871 to read:

2872 551.204 Department powers and duties.—

2873 (1) The department shall establish and collect fees for  
2874 performing background checks on all applicants for licenses and  
2875 all persons with whom the department may contract for the  
2876 providing of goods or services and for performing, or having  
2877 performed, tests on equipment and devices to be used in a  
2878 limited gaming facility.

2879       (2) The department shall keep accurate and complete  
2880 records of its proceedings and to certify the records as may be  
2881 appropriate.

2882       (3) The department may take testimony concerning any  
2883 matter within its jurisdiction and issue summons and subpoenas  
2884 for any witness and subpoenas duces tecum in connection with any  
2885 matter within the jurisdiction of the department under its seal  
2886 and signed by the director.

2887       (4) The department may require or permit a person to file  
2888 a statement in writing, under oath or otherwise as the  
2889 department or its designee requires, as to all the facts and  
2890 circumstances concerning the matter to be audited, examined, or  
2891 investigated.

2892       (5) The department may take any other action as may be  
2893 reasonable or appropriate to enforce this part and rules adopted  
2894 by the department.

2895       (6) The department may apply for injunctive or declaratory  
2896 relief in a court of competent jurisdiction to enforce this part  
2897 and any rules adopted by the department.

2898       (7) The department may establish field offices, as deemed  
2899 necessary by the department.

2900       (8) (a) The department, the Department of Law Enforcement,  
2901 and local law enforcement agencies shall have unrestricted  
2902 access to the limited gaming facility at all times and shall  
2903 require of each resort licensee strict compliance with the laws



2904 of this state relating to the transaction of such business. The  
 2905 department and the Department of Law Enforcement may:

2906 1. Inspect and examine premises where authorized limited  
 2907 gaming devices are offered for play.

2908 2. Inspect slot machines, other authorized gaming devices,  
 2909 and related equipment and supplies.

2910 (b) In addition, the department may:

2911 1. Collect taxes, assessments, fees, and penalties.

2912 2. Deny, revoke, or suspend a license of, or place  
 2913 conditions on, a licensee who violates any provision of this  
 2914 part, or a rule adopted by the department.

2915 (9) The department must revoke or suspend the license of  
 2916 any person or entity who is no longer qualified or who is found,  
 2917 after receiving a license, to have been unqualified at the time  
 2918 of application for the license.

2919 (10) This section does not:

2920 (a) Prohibit the Department of Law Enforcement or any law  
 2921 enforcement authority whose jurisdiction includes a resort  
 2922 licensee or a supplier licensee from conducting investigations  
 2923 of criminal activities occurring at the facilities of a resort  
 2924 licensee or supplier licensee;

2925 (b) Restrict access to the limited gaming facility by the  
 2926 Department of Law Enforcement or any local law enforcement  
 2927 authority whose jurisdiction includes a resort licensee's  
 2928 facility; or

2929 (c) Restrict access by the Department of Law Enforcement

2930 or a local law enforcement agency to information and records  
2931 necessary for the investigation of criminal activity which are  
2932 contained within the facilities of a resort licensee or supplier  
2933 licensee.

2934 Section 43. Section 551.205, Florida Statutes, is created  
2935 to read:

2936 551.205 Regulatory authority of the department.-

2937 (1) The department shall administer this part and regulate  
2938 limited gaming under this part. The department may adopt, by  
2939 rule:

2940 (a) Restrictions on types of limited gaming activities to  
2941 be conducted and the rules for those games, including any  
2942 restriction upon the time, place, and structures where limited  
2943 gaming is authorized.

2944 (b) Requirements, procedures, qualifications, and grounds  
2945 for the issuance, renewal, revocation, suspension, and summary  
2946 suspension of a resort license, supplier license, or  
2947 occupational license.

2948 (c) Requirements for the disclosure of the complete  
2949 financial interests of licensees and applicants for licenses.

2950 (d) Technical requirements and the qualifications that are  
2951 necessary to receive a license.

2952 (e) Procedures to scientifically test and technically  
2953 evaluate slot machines and other authorized gaming devices for  
2954 compliance with this part and the rules adopted by the  
2955 department. The department may contract with an independent

2956 testing laboratory to conduct any necessary testing. The  
2957 independent testing laboratory must have a national reputation  
2958 for being demonstrably competent and qualified to scientifically  
2959 test and evaluate slot machines and other authorized gaming  
2960 devices. An independent testing laboratory may not be owned or  
2961 controlled by a licensee. The use of an independent testing  
2962 laboratory for any purpose related to the conduct of slot  
2963 machine gaming and other authorized gaming by a resort licensee  
2964 shall be made from a list of laboratories approved by the  
2965 department.

2966 (f) Procedures relating to limited gaming revenues,  
2967 including verifying and accounting for such revenues, auditing,  
2968 and collecting taxes and fees.

2969 (g) Requirements for limited gaming equipment, including  
2970 the types and specifications of all equipment and devices that  
2971 may be used in limited gaming facilities.

2972 (h) Procedures for regulating, managing, and auditing the  
2973 operation, financial data, and program information relating to  
2974 limited gaming which allow the department and the Department of  
2975 Law Enforcement to audit the operation, financial data, and  
2976 program information of a resort licensee, as required by the  
2977 department or the Department of Law Enforcement, and provide the  
2978 department and the Department of Law Enforcement with the  
2979 ability to monitor, at any time on a real-time basis, wagering  
2980 patterns, payouts, tax collection, and compliance with any rules  
2981 adopted by the department for the regulation and control of

2982 limited gaming. Such continuous and complete access, at any time  
2983 on a real-time basis, shall include the ability of either the  
2984 department or the Department of Law Enforcement to suspend play  
2985 immediately on particular slot machines or other gaming devices  
2986 if monitoring of the facilities-based computer system indicates  
2987 possible tampering or manipulation of those slot machines or  
2988 gaming devices or the ability to suspend play immediately of the  
2989 entire operation if the tampering or manipulation is of the  
2990 computer system itself. The department shall notify the  
2991 Department of Law Enforcement and the Department of Law  
2992 Enforcement shall notify the department, as appropriate,  
2993 whenever there is a suspension of play pursuant this paragraph.  
2994 The department and the Department of Law Enforcement shall  
2995 exchange information that is necessary for, and cooperate in the  
2996 investigation of, the circumstances requiring suspension of play  
2997 pursuant to this paragraph.

2998 (i) Procedures for requiring each resort licensee at his  
2999 or her own cost and expense to supply the department with a bond  
3000 as required.

3001 (j) Procedures for requiring licensees to maintain and to  
3002 provide to the department records, data, information, or  
3003 reports, including financial and income records.

3004 (k) Procedures to calculate the payout percentages of slot  
3005 machines.

3006       (l) Minimum standards for security of the facilities,  
3007 including floor plans, security cameras, and other security  
3008 equipment.

3009       (m) The scope and conditions for investigations and  
3010 inspections into the conduct of limited gaming.

3011       (n) The standards and procedures for the seizure without  
3012 notice or hearing of gaming equipment, supplies, or books and  
3013 records for the purpose of examination and inspection.

3014       (o) Procedures for requiring resort licensees and supplier  
3015 licensees to implement and establish drug-testing programs for  
3016 all occupational employees.

3017       (p) Procedures and guidelines for the continuous recording  
3018 of all gaming activities at a limited gaming facility. The  
3019 department may require a resort licensee to timely provide all  
3020 or part of the original recordings pursuant to a schedule.

3021       (q) The payment of costs incurred by the department or any  
3022 other agencies for investigations or background checks or costs  
3023 associated with testing limited gaming related equipment, which  
3024 must be paid by an applicant for a license or a licensee.

3025       (r) The levying of fines for violations of this part or  
3026 any rule adopted by the department, which fines may not exceed  
3027 \$250,000 per violation arising out of a single transaction.

3028       (s) The amount of the application fee for an initial  
3029 issuance or renewal of an occupational license or a suppliers  
3030 license, not to exceed \$5,000.

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3031 (t) Any other rules the department finds necessary for  
3032 safe, honest, and highly regulated gaming in the state. For  
3033 purposes of this paragraph, the department shall consider rules  
3034 from any other jurisdiction in which gaming is highly regulated,  
3035 such as New Jersey or Nevada.

3036 (u) Any other rule necessary to accomplish the purposes of  
3037 this part.

3038 (2) The department may at any time adopt emergency rules  
3039 pursuant to s. 120.54. The Legislature finds that such emergency  
3040 rulemaking power is necessary for the preservation of the rights  
3041 and welfare of the people. The Legislature further finds that  
3042 the unique nature of limited gaming operations requires, from  
3043 time to time, that the department respond as quickly as is  
3044 practicable. Therefore, in adopting such emergency rules, the  
3045 department need not make the findings required by s.  
3046 120.54(4)(a). Emergency rules adopted under this section are  
3047 exempt from s. 120.54(4)(c). However, the emergency rules may  
3048 not remain in effect for more than 180 days, except that the  
3049 department may renew the emergency rules during the pendency of  
3050 procedures to adopt permanent rules addressing the subject of  
3051 the emergency rules.

3052 Section 44. Section 551.206, Florida Statutes, is created  
3053 to read:

3054 551.206 Preemption of local ordinances; administration of  
3055 part.—The regulation of the conduct of limited gaming activity  
3056 at a resort licensee is preempted to the state. A county,

3057 municipality, or other political subdivision of the state may  
 3058 not enact any ordinance relating to limited gaming. Only the  
 3059 department and other authorized state agencies may administer  
 3060 this part and regulate limited gaming, including limited gaming  
 3061 at resort licensees and the assessment of fees or taxes relating  
 3062 to the conduct of limited gaming.

3063 Section 45. Section 551.2065, Florida Statutes, is created  
 3064 to read:

3065 551.2065 Waiver of sovereign immunity.—

3066 (1) Every applicant or licensee under this chapter must  
 3067 wave any sovereign immunity defense to enforcement by the  
 3068 Attorney General or the Department of Gaming Control. The form  
 3069 and manner of any such waiver of sovereign immunity must be  
 3070 acceptable to the Attorney General. If directed by the Attorney  
 3071 General, the applicant or licensee shall include with its fully  
 3072 executed waiver a legal opinion from an attorney confirming that  
 3073 the person or persons executing the waiver have the requisite  
 3074 authority to waive the applicant's or licensee's sovereign  
 3075 immunity defenses and that the waiver is effective and valid  
 3076 under all applicable federal, state, tribal, and foreign laws.

3077 (2) Every applicant or licensee that may potentially  
 3078 assert tribal sovereign immunity defenses, or that is so  
 3079 directed by the Attorney General, shall complete a waiver that  
 3080 is acceptable to the Attorney General and substantially contains  
 3081 the following information:

3082 (a) The applicant or licensee recognizes and agrees that

3083 any suits or administrative actions brought against the  
3084 applicant or licensee and its owners relating to the duties and  
3085 obligations of Florida's Gaming Law may be brought in a Florida  
3086 administrative or civil court of competent jurisdiction and that  
3087 all such actions and proceedings shall be governed by Florida's  
3088 substantive and procedural law.

3089 (b) The applicant or licensee agrees that all its owners,  
3090 officers, agents, and employees will collect and remit all taxes  
3091 and other financial obligations imposed by Florida law, and all  
3092 subsequent amendments thereto, related to Florida's Gaming Law.

3093 (c) The applicant or licensee agrees to the jurisdiction  
3094 of a Florida circuit court or the Division of Administrative  
3095 Hearings over the sovereign entity, waives personal service of  
3096 process, and agrees that service of process by certified or  
3097 registered mail, return receipt requested, to an address  
3098 provided by the entity and located within the state, constitutes  
3099 adequate service.

3100 (d) Such documentation as is acceptable to the Attorney  
3101 General that the sovereign entity or officer waiving the  
3102 entity's sovereign immunity and treaty rights is authorized  
3103 under the sovereign entity's or tribal law to do so and has the  
3104 ability to bind the sovereign entity or tribe; that all  
3105 procedures required by the sovereign entity's, tribal, and  
3106 federal law, including, if applicable, the Foreign Sovereign  
3107 Immunities Act of 1976, 28 U.S.C. s. 1605(a)(1), were followed;  
3108 and that the actions in waiving sovereign immunity and treaty



3109 rights are binding and enforceable under the sovereign entity's,  
 3110 tribal, federal, and state law.

3111 (3) Applicants and licensees that may potentially assert  
 3112 tribal sovereign immunity defenses include companies for which  
 3113 any of the following is true:

3114 (a) The business is owned by a Native American tribe;

3115 (b) The business is chartered by a Native American tribe;

3116 (c) The business is operated for the benefit of a Native  
 3117 American tribe; or

3118 (d) The business is an "arm" of a Native American tribe.

3119 (4) Every applicant or licensee that is directly owned, in  
 3120 whole or majority part, by a state, federal, or any other  
 3121 foreign or domestic governmental organization, or that is so  
 3122 directed by the Attorney General, shall have its government's  
 3123 ambassador to the United States complete a waiver as described  
 3124 in subsection (2).

3125 (5) Every applicant or licensee not described in  
 3126 subsections (1)-(4) shall complete a waiver as described in  
 3127 subsection (2) that includes, but is not limited to, licensees  
 3128 or applicants that:

3129 (a) Are owned by a member or members of an Indian or  
 3130 Native American tribe;

3131 (b) Were formed by one or more members of a tribe; or

3132 (c) Were formed under an Indian tribal code.

3133 (6) The Attorney General may at any time require an entity  
 3134 not otherwise described in this section to execute a waiver

3135 described in subsection (2) if, in the opinion of the Attorney  
3136 General, the applicant may be able to assert a sovereign  
3137 immunity defense against the State of Florida or the Department  
3138 of Gaming Control.

3139 Section 46. Section 551.207, Florida Statutes, is created  
3140 to read:

3141 551.207 Authorization of limited gaming at destination  
3142 resorts.—

3143 (1) Notwithstanding any other provision of law, the  
3144 department may award a resort license authorizing limited gaming  
3145 in a county only if a majority of the electors voting in a  
3146 countywide referendum have passed a referendum allowing for slot  
3147 machines as of December 30, 2011, and if, subsequent to this act  
3148 becoming law, a majority of the electors voting in a countywide  
3149 referendum have passed a referendum allowing for limited gaming.  
3150 If limited gaming is authorized through the award of a resort  
3151 license, the resort licensee may possess slot machines and other  
3152 authorized gaming devices and conduct limited gaming at the  
3153 licensed location. Notwithstanding any other provision of law, a  
3154 person who is at least 21 years of age may lawfully participate  
3155 in authorized games at a facility licensed to possess authorized  
3156 limited gaming devices and conduct limited gaming or to  
3157 participate in limited gaming as described in this part. All  
3158 limited gaming shall be conducted on a designated limited gaming  
3159 floor that is segregated from the rest of the resort or pari-  
3160 mutuel facility so that patrons may have ingress and egress to

3161 the facility without entering the designated limited gaming  
 3162 floor.

3163 (2) Any referendum required by this part shall include the  
 3164 following language:

3165  
 3166 SHOULD OPERATION OF DESTINATION RESORTS, AS DEFINED IN S.  
 3167 551.202, FLORIDA STATUTES, BE AUTHORIZED IN ... (NAME OF  
 3168 COUNTY) ..., SUBJECT TO A \$2 BILLION MINIMUM INVESTMENT?

3169  
 3170 (3) The department shall only consider resort license  
 3171 applications for resorts in counties that have approved  
 3172 referendums satisfying the requirements of this section.

3173 Section 47. Section 551.208, Florida Statutes, is created  
 3174 to read:

3175 551.208 Destination resort license application process.-

3176 (1) The department may authorize limited gaming at up to  
 3177 two destination resorts and grant a license to the applicant or  
 3178 applicants best suited to operate a destination resort that has  
 3179 limited gaming. However, a license may not be issued after  
 3180 December 31, 2022.

3181 (2) The department shall use a request for proposals  
 3182 process for determining any award of a resort license. The  
 3183 application, review, and issuance procedures for awarding a  
 3184 license shall be by a process in which applicants rely on forms  
 3185 provided by the department. The deadline for issuance of the  
 3186 initial request for proposals shall be no later than July 1,

3187 2017. The department may issue a second request for proposals if  
3188 there remains an available resort license following completion  
3189 of the initial request for proposals.

3190 (3) Proposals in response to the request for proposals  
3191 must be received by the department no later than 180 days after  
3192 the issuance of the request for proposals.

3193 (4) The department may specify in its request for  
3194 proposals the county in which the facility may be located. When  
3195 determining whether to authorize a destination resort located  
3196 within a specific county or counties, the department shall hold  
3197 a public hearing in such county or counties to discuss the  
3198 proposals and receive public comments on determination of the  
3199 award of licenses.

3200 (5) The department shall review all complete proposals  
3201 received pursuant to a request for proposals. The department may  
3202 select one or more proposals after determining which proposals  
3203 are in the best interest of the state based on the selection  
3204 criteria. Upon or after approval or denial by the commission,  
3205 the department shall award or deny a destination resort license  
3206 within 90 days.

3207 (6) The department shall require each applicant for a  
3208 destination resort license to produce the information,  
3209 documentation, and assurances as may be necessary to establish  
3210 by clear and convincing evidence the integrity of all financial  
3211 backers, investors, mortgagees, bondholders, and holders of  
3212 indentures, notes, or other evidences of indebtedness, either in

3213 effect or proposed. Any such banking or lending institution and  
3214 institutional investors may be waived from qualification  
3215 requirements. However, banking or lending institutions or  
3216 institutional investors shall produce for the department upon  
3217 request any document or information that bears any relation to  
3218 the proposal submitted by the applicant or applicants. The  
3219 integrity of the financial sources shall be judged upon the same  
3220 standards as the applicant or applicants. Any such person or  
3221 entity shall produce for the department upon request any  
3222 document or information that bears any relation to the  
3223 application. In addition, the applicant shall produce whatever  
3224 information, documentation, or assurances the department  
3225 requires to establish by clear and convincing evidence the  
3226 adequacy of financial resources.

3227 (7) The department shall require an applicant to  
3228 demonstrate that it has received conceptual approval for the  
3229 destination resort proposal from the municipality and county in  
3230 which the resort will be located.

3231 Section 48. Section 551.209, Florida Statutes, is created  
3232 to read:

3233 551.209 Criteria for award of destination resort license.—  
3234 The department may award no more than two destination resort  
3235 licenses. The department may award a resort license to the  
3236 applicant that best serves the interests of the residents of  
3237 this state. The department shall evaluate applications based on  
3238 the criteria in this section.

3239 (1) (a) The department shall consider those applicants that  
 3240 meet the following minimum criteria:

3241 1. The applicant must demonstrate a capacity to increase  
 3242 tourism, generate jobs, provide revenue to the local economy,  
 3243 and provide revenue to the General Revenue Fund.

3244 2. The limited gaming floor in a destination resort may  
 3245 constitute no more than 10 percent of the resort development's  
 3246 total square footage. The resort development's total square  
 3247 footage is the aggregate of the total square footage of the  
 3248 limited gaming facility, hotel or hotels, convention space,  
 3249 retail facilities, nongaming entertainment facilities, service  
 3250 centers, and office space or administrative areas.

3251 3. The applicant must demonstrate a history of, or a bona  
 3252 fide plan for, community involvement or investment in the  
 3253 community where the destination resort will be located.

3254 4. The applicant must demonstrate a history of investment  
 3255 in the communities in which its previous developments have been  
 3256 located.

3257 5. The applicant must demonstrate the financial ability to  
 3258 purchase and maintain an adequate surety bond.

3259 6. The applicant must demonstrate that it has adequate  
 3260 capitalization to develop, construct, maintain, and operate the  
 3261 destination resort in accordance with this part and rules  
 3262 adopted by the department and to responsibly meet its secured  
 3263 and unsecured debt obligations in accordance with its financial  
 3264 and other contractual agreements.

3265 7. The applicant must demonstrate the ability to implement  
3266 a program to train and employ residents of this state for jobs  
3267 that will be available at the destination resort, including its  
3268 ability to implement a program for the training of low-income  
3269 persons.

3270 8. The applicant must demonstrate how it will integrate  
3271 with local businesses in the host and surrounding communities,  
3272 including local restaurants, hotels, retail outlets, and  
3273 impacted live entertainment venues.

3274 9. The applicant must demonstrate its ability to build a  
3275 destination resort of a high caliber with a variety of high-  
3276 quality amenities to be included as part of the establishment  
3277 that will enhance the state's tourism industry.

3278 10. The applicant must demonstrate how it will contract  
3279 with local business owners for the provision of goods and  
3280 services, including developing plans designed to assist  
3281 businesses in the state and local economy.

3282 11. The applicant must demonstrate that it will expend at  
3283 least \$2 billion in new development and construction of the  
3284 destination resort following the award of a license, which may  
3285 include improvements to the property, furnishings, and other  
3286 equipment, as determined by the department, excluding any leased  
3287 gaming equipment, purchase price and costs associated with the  
3288 acquisition of real property on which to develop the destination  
3289 resort, and any impact fees. Such expenditure must in the

3290 aggregate be completed within 5 years after the award of any  
3291 such license.

3292 12. The applicant shall guarantee a minimum annual payment  
3293 to the state in the amount of \$175 million for the life of the  
3294 license upon commencement of limited gaming under this part.

3295 13. The applicant must demonstrate the ability to generate  
3296 substantial gross receipts.

3297 14. The applicant must demonstrate that it will contribute  
3298 to an overall contraction of the gaming footprint of the state  
3299 by acquiring existing, active permits for the conduct of pari-  
3300 mutuel wagering pursuant to this paragraph. The applicant must  
3301 acquire, or sign an irrevocable option contract to acquire,  
3302 contingent on the applicant's obtaining a destination resort  
3303 license, eligible permits that total a minimum of five points,  
3304 and the department shall add additional value in its scoring for  
3305 applicants based on total points under this subsection. If the  
3306 applicant is selected to receive a destination resort permit,  
3307 the applicant shall obtain and forfeit to the department such  
3308 eligible permit or permits. A permit forfeited under this  
3309 paragraph is void and may not be reissued. A permitholder who  
3310 sells, transfers, or assigns a permit under this subsection  
3311 forfeits any right to conduct slot machine gaming at such  
3312 facility.

3313 (b) The department may, at its discretion, assess the  
3314 quality of the proposed development's aesthetic appearance in  
3315 the context of its potential to provide substantial economic



3316 benefits to the community and the people of this state,  
3317 including, but not limited to, its potential to provide  
3318 substantial employment opportunities.

3319 (c) The department may assess any other criteria the  
3320 department deems necessary to evaluate the applicant under this  
3321 part.

3322 (d) As used in subsection, the term:

3323 1. "Eligible permit" means a permit for the conduct of  
3324 pari-mutuel wagering in this state under which a full schedule  
3325 of live racing or games has been held for each of the 3  
3326 consecutive fiscal years immediately preceding the effective  
3327 date of this act.

3328 2. "Gaming-related taxes" means the total net taxes and  
3329 fees paid to the state pursuant to ss. 550.0951, 550.3551,  
3330 551.106, and 849.086 and reduced by any applied tax credits or  
3331 exemptions.

3332 (e) The department shall score eligible permits under the  
3333 following point system:

3334 1. An eligible permit under which at least \$50 million in  
3335 gaming-related taxes has been paid to the state in total over  
3336 the 3 completed fiscal years immediately preceding the effective  
3337 date of this act shall be valued at three points.

3338 2. An eligible permit under which at least \$3 million, but  
3339 less than \$50 million, in gaming-related taxes has been paid to  
3340 the state in total over the 3 completed fiscal years immediately

3341 preceding the effective date of this act shall be valued at two  
3342 and one-half points.

3343 3. An eligible permit under which at least \$1 million, but  
3344 less than \$3 million, in gaming-related taxes has been paid to  
3345 the state in total over the 3 completed fiscal years immediately  
3346 preceding the effective date of this act shall be valued at two  
3347 points.

3348 4. An eligible permit under which at least \$100,000, but  
3349 less than \$1 million, in gaming-related taxes has been paid to  
3350 the state in total over the 3 completed fiscal years immediately  
3351 preceding the effective date of this act shall be valued at one  
3352 and one-half points.

3353 5. An eligible permit under which at least \$1,000, but  
3354 less than \$100,000, in gaming-related taxes has been paid to the  
3355 state in total over the 3 completed fiscal years immediately  
3356 preceding the effective date of this act shall be valued at one  
3357 point.

3358 (2) (a) The department shall take into consideration those  
3359 applicants that demonstrate that they meet the following  
3360 development criteria:

3361 1. Design and location.—The criteria for evaluation shall  
3362 be:

3363 a. The ability of the community to sustain such a  
3364 development, the support of the local community in bringing the  
3365 development to the community, and an analysis of the revenue  
3366 that will be generated by the facility.

3367        b. The potential operator's ability to integrate the  
3368 facility's design into the local community and whether the size  
3369 and scope of the project will integrate properly into the  
3370 community.

3371        2. Management expertise and speed to market.—The criteria  
3372 for evaluation shall be:

3373            a. The applicant's experience building and managing a  
3374 resort of the scope and scale of the proposed resort.

3375            b. The applicant's plan to build and manage the resort and  
3376 the operator's timeline for completion of the resort.

3377            c. The applicant's experience and plan to generate  
3378 nongaming revenue from other amenities with the facility.

3379            d. The applicant's access to capital and financial ability  
3380 to construct the proposed project.

3381            e. The evaluation of the criteria specified in  
3382 subparagraphs (1) (a) 1.-10. and paragraph (1) (b).

3383        3. Generating out-of-state visitation.—The criteria for  
3384 evaluation shall be:

3385            a. The applicant's demonstrated history of generating  
3386 tourism and visitation from out-of-state and international  
3387 tourists.

3388            b. The applicant's history of driving tourist visitation  
3389 to other properties in an area.

3390            c. The applicant's plan for generating out-of-state and  
3391 international tourism.

3392 d. The applicant's plan for maximizing visitation to a  
3393 region that will also drive visitation to other properties in  
3394 that region.

3395 4. Community enhancement plan.—The criteria for evaluation  
3396 shall be:

3397 a. The applicant's demonstrated history of community  
3398 partnerships in local communities where it is located.

3399 b. The applicant's demonstrated plan to enhance the local  
3400 community where the proposed resort will be located.

3401 c. The applicant's demonstrated plan for local hiring.

3402 d. The applicant's demonstrated history of working with  
3403 community education facilities, including local schools and  
3404 colleges, to train prospective job applicants for careers in the  
3405 hospitality field.

3406 e. The applicant's demonstrated history in diversity in  
3407 hiring and minority purchasing.

3408 f. The applicant's plan for diversity in hiring and  
3409 minority purchasing.

3410 (b) The department shall take into consideration those  
3411 applicants that demonstrate that they meet the following  
3412 community criteria:

3413 1. The roads, water, sanitation, utilities, and related  
3414 services to the proposed location of the destination resort are  
3415 adequate and the proposed destination resort will not unduly  
3416 impact public services, existing transportation infrastructure,

3417 consumption of natural resources, and the quality of life  
3418 enjoyed by residents of the surrounding neighborhoods.

3419 2. The applicant will be able to commence construction as  
3420 soon after awarding of the resort license as possible but no  
3421 later than 24 months after the award of the resort license.

3422 3. The destination resort will include amenities and uses  
3423 that will allow other businesses to be included within the  
3424 destination resort.

3425 4. The destination resort will promote local businesses in  
3426 the host and surrounding communities, including developing  
3427 cross- marketing strategies with local restaurants, small  
3428 businesses, hotels, retail outlets, and impacted live  
3429 entertainment venues.

3430 5. The destination resort will implement a workforce  
3431 development plan that uses the existing labor force, including  
3432 the estimated number of construction jobs the destination resort  
3433 will generate, the development of workforce training programs  
3434 that serve the unemployed, and methods for accessing employment  
3435 at the destination resort.

3436 6. The destination resort will take measures to address  
3437 problem gambling, including, but not limited to, training of  
3438 gaming employees to identify patrons exhibiting problems with  
3439 gambling and providing prevention programs targeted toward  
3440 vulnerable populations.

3441 7. The applicant will provide a market analysis detailing  
3442 the benefits of the site location and the estimated recapture

3443 rate of gaming-related spending by residents traveling to out-  
3444 of-state gaming establishments.

3445 8. The destination resort will use sustainable development  
3446 principles.

3447 9. The destination resort will contract with local  
3448 business owners for the provision of goods and services,  
3449 including developing plans designed to assist businesses in the  
3450 state in identifying the needs for goods and services to the  
3451 establishment.

3452 10. The destination resort will mitigate potential impacts  
3453 on the host and surrounding communities which might result from  
3454 the development or operation of the destination resort.

3455 11. The destination resort will purchase, whenever  
3456 possible, domestically manufactured equipment for installation  
3457 in the resort.

3458 12. The destination resort will implement a marketing  
3459 program that identifies specific goals, expressed as an overall  
3460 program goal applicable to the total dollar amount of contracts,  
3461 for the use of:

3462 a. Minority business enterprises, women business  
3463 enterprises, and veteran business enterprises to participate as  
3464 contractors in the design of the development;

3465 b. Minority business enterprises, women business  
3466 enterprises, and veteran business enterprises to participate as  
3467 contractors in the construction of the development; and

3468 c. Minority business enterprises, women business  
 3469 enterprises, and veteran business enterprises to participate as  
 3470 vendors in the provision of goods and services procured by the  
 3471 development and any businesses operated as part of the  
 3472 development.

3473 13. The destination resort will have public support in the  
 3474 host and surrounding communities, which may be demonstrated  
 3475 through public comment received by the department or applicant.

3476 (3) A resort license may be issued only to persons of good  
 3477 moral character who are at least 21 years of age. A resort  
 3478 license may be issued to a corporation only if its officers are  
 3479 of good moral character and at least 21 years of age.

3480 (4) (a) A resort license may not be issued to an applicant  
 3481 if the applicant, qualifier, or institutional investor:

3482 1. Has, within the last 5 years, been adjudicated by a  
 3483 court or tribunal for failure to pay income, sales, or gross  
 3484 receipts tax due and payable under any federal, state, or local  
 3485 law, after exhaustion of all appeals or administrative remedies.

3486 2. Has been convicted of a felony under the laws of this  
 3487 state, any other state, or the United States.

3488 3. Has been convicted of any violation of chapter 817 or a  
 3489 substantially similar law of another jurisdiction.

3490 4. Knowingly submitted false information in the  
 3491 application for the license.

3492 5. Is an employee of the department.

3493 6. Was licensed to own or operate gaming or pari-mutuel  
 3494 facilities in this state or another jurisdiction and that  
 3495 license was revoked.

3496 7. Is an entity that has accepted any wager of money or  
 3497 other consideration on any online gambling activity, including  
 3498 poker, from any state resident since October 13, 2006. However,  
 3499 this subparagraph does not disqualify an applicant or  
 3500 subcontractor who accepts online pari-mutuel wagers from a state  
 3501 resident through an online pari-mutuel wagering entity  
 3502 authorized in another state.

3503 8. Fails to meet any other criteria for licensure set  
 3504 forth in this part.

3505 (b) As used in this subsection, the term "convicted"  
 3506 includes an adjudication of guilt or a plea of guilty or nolo  
 3507 contendere or the forfeiture of a bond when charged with a  
 3508 crime.

3509 Section 49. Section 551.21, Florida Statutes, is created  
 3510 to read:

3511 551.21 Application for destination resort license.-

3512 (1) APPLICATION.-A proposal submitted in response to a  
 3513 request for proposals must include a sworn application in the  
 3514 format prescribed by the department. The application must  
 3515 include the following information:

3516 (a)1. The name, business address, telephone number, social  
 3517 security number, and, where applicable, federal tax



3518 identification number of the applicant and each qualifier except  
3519 those exempt pursuant to s. 551.212 or s. 551.213.

3520 2. Information, documentation, and assurances concerning  
3521 financial background and resources as may be required to  
3522 establish the financial stability, integrity, and responsibility  
3523 of the applicant. This includes business and personal income and  
3524 disbursement schedules, tax returns and other reports filed with  
3525 governmental agencies, and business and personal accounting and  
3526 check records and ledgers. In addition, each applicant must  
3527 provide written authorization for the examination of all bank  
3528 accounts and records as may be deemed necessary by the  
3529 department.

3530 (b) The identity and, if applicable, the state of  
3531 incorporation or registration of any business in which the  
3532 applicant or a qualifier has an equity interest of more than 5  
3533 percent. If the applicant or qualifier is a corporation,  
3534 partnership, or other business entity, the applicant or  
3535 qualifier must identify any other corporation, partnership, or  
3536 other business entity in which it has an equity interest of more  
3537 than 5 percent, including, if applicable, the state of  
3538 incorporation or registration.

3539 (c) Documentation, as required by the department, that the  
3540 applicant has received conceptual approval of the destination  
3541 resort proposal from the municipality and county in which the  
3542 resort will be located.

3543 (d) A statement as to whether the applicant or a qualifier  
3544 has developed and operated a similar gaming facility within a  
3545 highly regulated domestic jurisdiction that allows similar forms  
3546 of development, including a description of the gaming facility,  
3547 the gaming facility's gross revenue, and the amount of revenue  
3548 the gaming facility has generated for state and local  
3549 governments within that jurisdiction.

3550 (e) A statement as to whether the applicant or a qualifier  
3551 has been indicted, convicted of, pled guilty or nolo contendere  
3552 to, or forfeited bail for any felony or for a misdemeanor  
3553 involving gambling, theft, or fraud. The statement must include  
3554 the date, the name and location of the court, the arresting  
3555 agency, the prosecuting agency, the case caption, the docket  
3556 number, the nature of the offense, the disposition of the case,  
3557 and, if applicable, the location and length of incarceration.

3558 (f) A statement as to whether the applicant or a qualifier  
3559 has ever been granted any license or certificate in any  
3560 jurisdiction which has been restricted, suspended, revoked, not  
3561 renewed, or otherwise subjected to discipline. The statement  
3562 must describe the facts and circumstances concerning that  
3563 restriction, suspension, revocation, nonrenewal, or discipline,  
3564 including the licensing authority, the date each action was  
3565 taken, and an explanation of the circumstances for each  
3566 disciplinary action.

3567 (g) A statement as to whether the applicant or a qualifier  
3568 has, as a principal or a controlling shareholder, within the

3569 last 10 years, filed for protection under the Federal Bankruptcy  
3570 Code or had an involuntary bankruptcy petition filed against it.

3571 (h) A statement as to whether the applicant or a qualifier  
3572 has, within the last 5 years, been adjudicated by a court or  
3573 tribunal for failure to pay any income, sales, or gross receipts  
3574 tax due and payable under federal, state, or local law, or under  
3575 the laws of any applicable foreign jurisdiction, after  
3576 exhaustion of all appeals or administrative remedies. This  
3577 statement must identify the amount and type of the tax and the  
3578 time periods involved and must describe the resolution of the  
3579 nonpayment.

3580 (i) A list of the names and titles of any public officials  
3581 or officers of any unit of state government or of the local  
3582 government or governments in the county or municipality in which  
3583 the proposed resort is to be located, and the spouses, parents,  
3584 and children of those public officials or officers, who,  
3585 directly or indirectly, own any financial interest in, have any  
3586 beneficial interest in, are the creditors of, hold any debt  
3587 instrument issued by, or hold or have an interest in any  
3588 contractual or service relationship with the applicant or a  
3589 qualifier. As used in this paragraph, the terms "public  
3590 official" and "officer" do not include a person who would be  
3591 listed solely because the person is a member of the Florida  
3592 National Guard.

3593 (j) The name and business telephone number of, and a  
3594 disclosure of fees paid to, any attorney, lobbyist, employee,

3595 consultant, or other person who has represented the applicant's  
3596 interests in the state for 3 years before the effective date of  
3597 this section or who is representing an applicant before the  
3598 department during the application process.

3599 (k) A description of the applicant's history of and  
3600 proposed plan for community involvement or investment in the  
3601 community where the destination resort will be located.

3602 (l) A description of the applicant's proposed resort,  
3603 including a map documenting the location of the facility within  
3604 the specific county or counties; a statement from appropriate  
3605 state and local agencies regarding the compliance of the  
3606 applicant with state, regional, and local planning and zoning  
3607 requirements; a description of the economic benefit to the  
3608 community in which the facility will be located; the anticipated  
3609 number of jobs generated by construction of the facility; the  
3610 anticipated number of employees; a statement regarding how the  
3611 applicant would comply with federal and state affirmative action  
3612 guidelines; a projection of admissions or attendance at the  
3613 limited gaming facility; a projection of gross receipts; and  
3614 scientific market research pertaining to the proposed facility,  
3615 if any.

3616 (m) Proof that a countywide referendum has been approved  
3617 before the application deadline by the electors of the county  
3618 authorizing limited gaming as defined in this chapter in that  
3619 county.

3620 (n) A schedule or timeframe for completing the resort.

3621 (o) A plan for training residents of this state for jobs  
3622 at the resort. The job-training plan must provide training to  
3623 enable low-income persons to qualify for jobs at the resort.

3624 (p) The identity of each person, association, trust, or  
3625 corporation or partnership having a direct or indirect equity  
3626 interest in the applicant of greater than 5 percent. If  
3627 disclosure of a trust is required under this paragraph, the  
3628 names and addresses of the beneficiaries of the trust must also  
3629 be disclosed. If the identity of a corporation must be  
3630 disclosed, the names and addresses of all stockholders and  
3631 directors must also be disclosed. If the identity of a  
3632 partnership must be disclosed, the names and addresses of all  
3633 partners, both general and limited, must also be disclosed.

3634 (q) A destination resort and limited gaming facility  
3635 development plan and projected investment of \$2 billion pursuant  
3636 to s. 551.209.

3637 (r) The fingerprints of all officers or directors of the  
3638 applicant and qualifiers, and any persons exercising operational  
3639 or managerial control of the applicant, as determined by rule of  
3640 the department, for a criminal history records check.

3641 (s) A statement outlining the organization's diversity  
3642 plan.

3643 (t) A listing of all gaming licenses and permits the  
3644 applicant or qualifier currently possesses.

3645 (u) A listing of former or inactive officers, directors,  
3646 partners, and trustees.

3647 (v) A listing of all affiliated business entities or  
3648 holding companies, including nongaming interests.

3649 (w) Any other information the department may deem  
3650 appropriate or require during the application process as  
3651 provided by rule.

3652 (2) DISCRETION TO REQUIRE INFORMATION.—Notwithstanding any  
3653 other provision of law, the department is the sole authority for  
3654 determining the information or documentation that must be  
3655 included in an application for a resort license or in an  
3656 application to renew a resort license. Such documentation and  
3657 information may relate to demographics, education, work history,  
3658 personal background, criminal history, finances, business  
3659 information, complaints, inspections, investigations,  
3660 discipline, bonding, photographs, performance periods,  
3661 reciprocity, local government approvals, supporting  
3662 documentation, periodic reporting requirements, and fingerprint  
3663 requirements.

3664 (3) INCOMPLETE APPLICATIONS.—

3665 (a) An incomplete application for a resort license is  
3666 grounds for the denial of the application.

3667 (b) The department must refund 80 percent of the  
3668 application fee within 30 days after the denial of an incomplete  
3669 application.

3670 (4) DUTY TO SUPPLEMENT APPLICATION.—The application shall  
3671 be supplemented as needed to reflect any material change in any  
3672 circumstance or condition stated in the application which takes

3673 place between the initial filing of the application and the  
3674 final grant or denial of the license. Any submission required to  
3675 be in writing may otherwise be required by the department to be  
3676 made by electronic means.

3677 (5) APPLICATION FEES.—

3678 (a) The application for a resort license must be submitted  
3679 along with a nonrefundable application fee of \$1 million which  
3680 shall be deposited into the Destination Resort Trust Fund to be  
3681 used by the department to defray costs associated with the  
3682 review and investigation of the application and to conduct a  
3683 background investigation of the applicant and each qualifier. If  
3684 the cost of the review and investigation exceeds \$1 million, the  
3685 applicant must pay the additional amount to the department  
3686 within 30 days after the receipt of a request for an additional  
3687 payment. Additional payments under this paragraph shall also be  
3688 deposited into the Destination Resort Trust Fund.

3689 (b) The application for a destination resort license must  
3690 be submitted with a one-time fee of \$10 million, which shall be  
3691 deposited into the Destination Resort Trust Fund. If the  
3692 department denies the application, the department must refund  
3693 the fee within 30 days after the denial of the application. If  
3694 the applicant withdraws the application after the application  
3695 deadline established by the department, the department must  
3696 refund 80 percent of the fee within 30 days after the  
3697 application is withdrawn.

3698 Section 50. Section 551.212, Florida Statutes, is created  
 3699 to read:

3700 551.212 Institutional investors as qualifiers.-

3701 (1)(a) An application for a resort license that has an  
 3702 institutional investor as a qualifier need not contain  
 3703 information relating to the institutional investor, other than  
 3704 the identity of the investor, if the institutional investor  
 3705 holds less than 15 percent of the equity or debt securities and  
 3706 files a certified statement that the institutional investor does  
 3707 not intend to influence or affect the affairs of the applicant  
 3708 or an affiliate of the applicant and that its holdings of  
 3709 securities of the applicant or affiliate were purchased for  
 3710 investment purposes only.

3711 (b) The department may limit the application requirements  
 3712 as provided in this subsection for an institutional investor  
 3713 that is a qualifier and that holds 5 percent or more of the  
 3714 equity or debt securities of an applicant or affiliate of the  
 3715 applicant upon a showing of good cause and if the conditions  
 3716 specified in paragraph (a) are satisfied.

3717 (2) An institutional investor that is exempt from the full  
 3718 application requirements under this section and that  
 3719 subsequently intends to influence or affect the affairs of the  
 3720 issuer must first notify the department of its intent and file  
 3721 an application containing all of the information that would have  
 3722 been required of the institutional investor in the application  
 3723 for a resort license. The department may deny the application if



3724 it determines that granting the application will impair the  
3725 financial stability of the licensee or impair the ability of the  
3726 licensee to comply with its development plans or other plans  
3727 submitted to the department by the applicant or licensee.

3728 (3) An applicant for a resort license or a resort licensee  
3729 or affiliate shall immediately notify the department of any  
3730 information concerning an institutional investor holding its  
3731 equity or debt securities which may disqualify an institutional  
3732 investor from having a direct or indirect interest in the  
3733 applicant or licensee, and the department may require the  
3734 institutional investor to file all information that would have  
3735 been required of the institutional investor in the application  
3736 for a resort license.

3737 (4) If the department finds that an institutional investor  
3738 that is a qualifier fails to comply with subsection (1), or if  
3739 at any time the department finds that by reason of the extent or  
3740 nature of its holdings an institutional investor is in a  
3741 position to exercise a substantial impact upon the controlling  
3742 interests of a licensee, the department may require the  
3743 institutional investor to file an application containing all of  
3744 the information that would have been required of the  
3745 institutional investor in the application for a resort license.

3746 (5) Notwithstanding paragraph (1)(b), an institutional  
3747 investor may vote on all matters that are put to the vote of the  
3748 outstanding security holders of the applicant or licensee.

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3749 Section 51. Section 551.213, Florida Statutes, is created  
3750 to read:

3751 551.213 Lenders and underwriters; exemption as  
3752 qualifiers.—A bank, lending institution, or underwriter in  
3753 connection with any bank or lending institution that, in the  
3754 ordinary course of business, makes a loan to, or holds a  
3755 security interest in, a licensee or applicant, a supplier  
3756 licensee or applicant or its subsidiary, or direct or indirect  
3757 parent company of any such bank, lending institution, or  
3758 underwriter is not a qualifier and is not required to be  
3759 licensed.

3760 Section 52. Section 551.214, Florida Statutes, is created  
3761 to read:

3762 551.214 Conditions for resort license.—As a condition to  
3763 licensure and to maintain continuing authority, a resort  
3764 licensee must:

3765 (1) Comply with this part and the rules of the department.

3766 (2) Allow the department and the Department of Law  
3767 Enforcement unrestricted access to and right of inspection of  
3768 facilities of the licensee in which any activity relative to the  
3769 conduct of gaming is conducted.

3770 (3) Complete the resort in accordance with the plans and  
3771 timeframe proposed to the department in its application, unless  
3772 an extension is granted by the department. The department may  
3773 grant such an extension, not to exceed 1 year after the original  
3774 planned completion date, upon good cause shown by the licensee.

3775       (4) Ensure that the facilities-based computer system that  
3776 the licensee will use for operational and accounting functions  
3777 of the facility is specifically structured to facilitate  
3778 regulatory oversight. The facilities-based computer system shall  
3779 be designed to provide the department and the Department of Law  
3780 Enforcement with the ability to monitor, at any time on a real-  
3781 time basis, wagering patterns, payouts, tax collection, and such  
3782 other operations as necessary to determine whether the facility  
3783 is in compliance with statutory provisions and rules adopted by  
3784 the department for the regulation and control of gaming. The  
3785 department and the Department of Law Enforcement shall have  
3786 complete and continuous access to this system. Such access shall  
3787 include the ability of either the department or the Department  
3788 of Law Enforcement to suspend play immediately on particular  
3789 slot machines or gaming devices if monitoring of the system  
3790 indicates possible tampering with or manipulation of those slot  
3791 machines or gaming devices, and the ability to immediately  
3792 suspend play throughout the entire operation if the tampering or  
3793 manipulation is of the computer system itself. The computer  
3794 system shall be reviewed and approved by the department to  
3795 ensure necessary access, security, and functionality. However,  
3796 neither the department nor the Department of Law Enforcement  
3797 shall have the ability to alter any data. The department may  
3798 adopt rules to provide for the approval process.

3799       (5) Ensure that each game, slot machine, or other gaming  
3800 device is protected from manipulation or tampering that may

3801 affect the random probabilities of winning plays. The department  
3802 or the Department of Law Enforcement may suspend play upon  
3803 reasonable suspicion of any manipulation or tampering. If play  
3804 has been suspended on any game, slot machine, or other gaming  
3805 device, the department or the Department of Law Enforcement may  
3806 conduct an examination to determine whether the game, machine,  
3807 or other gaming device has been tampered with or manipulated and  
3808 whether the game, machine, or other gaming device should be  
3809 returned to operation.

3810 (6) Submit a security plan, including the facilities'  
3811 floor plans, the locations of security cameras, and a listing of  
3812 all security equipment that is capable of observing and  
3813 electronically recording activities being conducted in the  
3814 facilities of the licensee. The security plan must meet the  
3815 minimum security requirements as determined by the department  
3816 and be implemented before the operation of gaming. The  
3817 licensee's facilities must adhere to the security plan at all  
3818 times. Any changes to the security plan must be submitted by the  
3819 licensee to the department before implementation. The department  
3820 shall furnish copies of the security plan and changes in the  
3821 plan to the Department of Law Enforcement.

3822 (7) Create and file with the department a written policy  
3823 for:

3824 (a) Creating opportunities to purchase from vendors in  
3825 this state.

3826 (b) Creating opportunities for the employment of residents  
3827 of this state.

3828 (c) Ensuring opportunities for obtaining construction  
3829 services from residents and vendors in this state.

3830 (d) Ensuring that opportunities for employment are offered  
3831 on an equal, nondiscriminatory basis.

3832 (e) Training employees on responsible gaming and working  
3833 with a compulsive or addictive gambling prevention program.

3834 (f) Implementing a drug-testing program for each  
3835 occupational licensee that includes, but is not limited to,  
3836 requiring such person to sign an agreement that he or she  
3837 understands that the resort is a drug-free workplace.

3838 (g) Using the Internet-based job-listing system of the  
3839 Department of Economic Opportunity in advertising employment  
3840 opportunities.

3841 (h) Ensuring that the payout percentage of each slot  
3842 machine is at least 85 percent.

3843 (8) File with the department detailed documentation of the  
3844 applicant's, its affiliates', or any holding company's history  
3845 of using labor in any jurisdiction that would fall outside of  
3846 ages defined in chapter 450.

3847 (9) Keep and maintain permanent daily records of its  
3848 limited gaming operations and maintain such records for at least  
3849 5 years. These records must include all financial transactions  
3850 and contain sufficient detail to determine compliance with the  
3851 requirements of this part. All records shall be available for

3852 audit and inspection by the department, the Department of Law  
3853 Enforcement, or other law enforcement agencies during the resort  
3854 licensee's regular business hours.

3855 (10) Comply with all state and federal laws and rules  
3856 relating to the detection and prevention of money laundering,  
3857 including, as applicable, 31 C.F.R. parts 1010 and 1021.

3858 (11) Maintain an anti-money laundering program in  
3859 accordance with 31 C.F.R. s. 1022.210. The program must be  
3860 reviewed and updated as necessary to ensure that the program  
3861 continues to be effective in deterring money laundering  
3862 activities.

3863 Section 53. Section 551.215, Florida Statutes, is created  
3864 to read:

3865 551.215 Surety bond.—A destination resort licensee must,  
3866 at its own cost and expense, before the license is delivered,  
3867 give a bond in the penal sum to be determined by the department  
3868 payable to the Governor and his or her successors in office. The  
3869 bond must be issued by a surety or sureties approved by the  
3870 department and the chief financial officer and the bond must be  
3871 conditioned on the licensee faithfully making the required  
3872 payments to the chief financial officer in his or her capacity  
3873 as treasurer of the department, keeping the licensee's books and  
3874 records and making reports as required, and conducting its  
3875 limited gaming activities in conformity with this part. The  
3876 department shall fix the amount of the bond at the total amount  
3877 of annual license fees and the taxes estimated to become due as

3878 determined by the department. In lieu of a bond, an applicant or  
3879 licensee may deposit with the department a like amount of funds,  
3880 a savings certificate, a certificate of deposit, an investment  
3881 certificate, or a letter of credit from a bank, savings bank,  
3882 credit union, or savings and loan association situated in this  
3883 state which meets the requirements set for that purpose by the  
3884 chief financial officer. If security is provided in the form of  
3885 a savings certificate, a certificate of deposit, or an  
3886 investment certificate, the certificate must state that the  
3887 amount is unavailable for withdrawal except upon order of the  
3888 department. The department may review the bond or other security  
3889 for adequacy and require adjustments, including increasing the  
3890 amount of the bond and other security. The department may adopt  
3891 rules to administer this section and establish guidelines for  
3892 such bonds or other securities.

3893 Section 54. Section 551.216, Florida Statutes, is created  
3894 to read:

3895 551.216 Conduct of limited gaming.—

3896 (1) Limited gaming may be conducted by a resort licensee,  
3897 subject to the following:

3898 (a) The site of the limited gaming facility is limited to  
3899 the resort licensee's site location as approved by the  
3900 department.

3901 (b) The department's agents and employees may enter and  
3902 inspect a limited gaming facility or other facilities relating  
3903 to a resort licensee's gaming operations at any time for the

3904 purpose of determining whether the licensee is in compliance  
3905 with this part.

3906 (c) A resort licensee may lease or purchase gaming  
3907 devices, equipment, or supplies customarily used in conducting  
3908 gaming only from a licensed supplier.

3909 (d) A resort licensee may not permit any form of wagering  
3910 on games except as permitted by this part.

3911 (e) A resort licensee may receive wagers only from a  
3912 person present in the limited gaming facility.

3913 (f) A resort licensee may not permit wagering using money  
3914 or other negotiable currency except for wagering on slot  
3915 machines.

3916 (g) A resort licensee may not permit a person who has not  
3917 attained 21 years of age to engage in gaming activity or remain  
3918 in an area of a limited gaming facility where gaming is being  
3919 conducted, except for a limited gaming employee of the resort  
3920 licensee who is at least 18 years of age.

3921 (h) A resort licensee may not sell or distribute tokens,  
3922 chips, or electronic cards used to make wagers outside the  
3923 limited gaming facility. The tokens, chips, or electronic cards  
3924 may be purchased by means of an agreement under which the  
3925 licensee extends credit to a wagerer. The tokens, chips, or  
3926 electronic cards may be used only for the purpose of making  
3927 wagers on games within a limited gaming facility.



3928        (i) A resort licensee may not conduct business with a  
3929 junket enterprise, except for a junket operator employed full  
3930 time by that licensee.

3931        (j) All gaming activities must be conducted in accordance  
3932 with department rules.

3933        (k) Limited gaming may not be conducted by a resort  
3934 licensee until the resort is completed according to the proposal  
3935 approved by the department.

3936        (2) A limited gaming facility may operate 24 hours per  
3937 day, every day of the year.

3938        (3) A resort licensee may set the minimum and maximum  
3939 wagers on all games.

3940        (4) A resort licensee shall give preference in employment,  
3941 reemployment, promotion, and retention to veterans and to the  
3942 persons included under s. 295.07(1) who possess the minimum  
3943 qualifications necessary to perform the duties of the positions  
3944 involved.

3945        (5) A resort licensee and its affiliates, directors, and  
3946 employees shall be subject to all applicable federal, state, and  
3947 local laws. Such licensees, affiliates, directors, and employees  
3948 shall subject themselves to jurisdiction of the Federal  
3949 Government and the government of this state, and acceptance of a  
3950 license shall be considered an affirmative waiver of extradition  
3951 to the United States from a foreign country.

3952        (6) The department shall renew a resort license if:

3953        (a) The licensee has demonstrated an effort to increase  
 3954 tourism, generate jobs, provide revenue to the local economy,  
 3955 and provide revenue to the state's general revenue.

3956        (b) The department has not suspended or revoked the  
 3957 license of the licensee.

3958        (c) The licensee continues to satisfy all the requirements  
 3959 of the initial application for licensure.

3960        Section 55. Section 551.2165, Florida Statutes, is created  
 3961 to read:

3962        551.2165 Limitation on facility space in destination  
 3963 resorts.—A destination resort may not contain an exhibition  
 3964 hall. As used in this section, the term "exhibition hall" means  
 3965 a facility within the footprint of a licensed destination resort  
 3966 containing more than 250,000 square feet of uncarpeted floor  
 3967 space that can be used for conducting trade shows or  
 3968 exhibitions. The term does not include facility space of any  
 3969 size having primarily carpeted space that can be used to conduct  
 3970 events such as business conferences, conventions, or meetings or  
 3971 facility space such as concert halls, sports stadiums,  
 3972 entertainment venues, storage facilities, operations and  
 3973 maintenance facilities, or other facilities necessary for the  
 3974 operation of the destination resort.

3975        Section 56. Section 551.217, Florida Statutes, is created  
 3976 to read:

3977        551.217 License fee; tax rate; disposition.—

3978       (1) LICENSE FEE.—On the anniversary date of the issuance  
3979 of the initial resort license and annually thereafter, the  
3980 licensee must pay to the department a nonrefundable annual  
3981 license fee of \$5 million. Of this amount, \$1 million shall be  
3982 deposited into the Destination Resort Trust Fund and \$4 million  
3983 shall be deposited with the chief financial officer to the  
3984 credit of the General Revenue Fund. The license shall be renewed  
3985 annually, unless the department has revoked the license for a  
3986 violation of this part or rule of the department. The portion of  
3987 the license fee deposited into the Destination Resort Trust Fund  
3988 shall be used by the department and the Department of Law  
3989 Enforcement for investigations, regulation of limited gaming,  
3990 and enforcement of this part.

3991       (2) GROSS RECEIPTS TAX.—

3992       (a) Each resort licensee shall pay a gross receipts tax on  
3993 its gross receipts to the state which shall be deposited with  
3994 the Chief Financial Officer to the credit of the General Revenue  
3995 Fund. Upon completion of the resort and before limited gaming  
3996 may be conducted, the resort licensee must submit proof, as  
3997 required by the department, of the total investment made in the  
3998 construction of the resort. Upon submission of this information,  
3999 the gross receipts tax rate shall be 10 percent of the gross  
4000 receipts.

4001       (b) If the combined revenues from payments made to the  
4002 state pursuant to the 2010 revenue sharing agreement between the  
4003 State of Florida and the Seminole Tribe of Florida and the tax

4004 and license fees collected from slot machine licensees are less  
 4005 than the combined revenues to the state in the 2014-2015 fiscal  
 4006 year after a destination resort facility commences limited  
 4007 gaming, a surcharge shall be paid to the state within 90 days  
 4008 after each fiscal year end by each destination resort licensee.

4009 1. The surcharge shall be an amount equal to the  
 4010 difference in revenues received by the state in the 2014-2015  
 4011 fiscal year.

4012 2. Each licensee's pro rata share shall be an amount based  
 4013 on the licensee's portion of the gross receipts tax revenue paid  
 4014 to the state in that current fiscal year.

4015 (3) TAX PROCEEDS.—The gross receipts tax and any  
 4016 surcharges pursuant to paragraph (2) (a) shall be deposited with  
 4017 the Chief Financial Officer to the credit of the General Revenue  
 4018 Fund.

4019 Section 57. Section 551.218, Florida Statutes, is created  
 4020 to read:

4021 551.218 Penalties for noncompliance with laws and rules.—

4022 (1) A resort license is a revocable privilege, and no  
 4023 licensee shall be deemed to have acquired any vested rights  
 4024 therein or thereunder. The burden of proving qualifications to  
 4025 hold any license and to prove compliance with laws and rules in  
 4026 this part rests at all times on the applicant or licensee.

4027 (2) Violation of any provision of this part or of the  
 4028 rules adopted pursuant to this part by a licensee, his agent or  
 4029 employee shall be deemed contrary to the public health, safety,

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4030 morals, good order and general welfare of the residents of the  
4031 state and grounds for suspension, limitation, or revocation of a  
4032 license. Acceptance of a resort license or renewal thereof by a  
4033 licensee constitutes an agreement on the part of the licensee to  
4034 be bound by all of the regulations of the commission as the same  
4035 now are or may hereafter be amended or promulgated.

4036 (3) If any licensee violates laws of this state or the  
4037 rules of the commission, the commission may:

4038 (a) Revoke, limit, restrict or suspend the license; or

4039 (b) Fine the persons involved, or the corporation,  
4040 partnership, limited partnership, limited-liability company or  
4041 other business organization holding a license or such holding  
4042 company or intermediary company, in accordance with the laws of  
4043 this state or the rules of the commission.

4044 (4) Nothing in this section prohibits the commission from  
4045 pursuing other judicial and administrative remedies to enforce  
4046 compliance with this part or recover damages and attorney fees  
4047 and costs related to failure to comply with this part.

4048 Section 58. Section 551.219, Florida Statutes, is created  
4049 to read:

4050 551.219 Fingerprint requirements.—Any fingerprints  
4051 required to be taken under this part must be taken in a manner  
4052 approved by, and shall be submitted electronically by the  
4053 department to, the Department of Law Enforcement. The Department  
4054 of Law Enforcement shall submit the results of the state and  
4055 national records check to the department. The department shall

4056 consider the results of the state and national records check in  
4057 evaluating an application for any license.

4058 (1) The cost of processing fingerprints and conducting a  
4059 criminal history record check shall be borne by the applicant.  
4060 The Department of Law Enforcement may submit a monthly invoice  
4061 to the department for the cost of processing the fingerprints  
4062 submitted.

4063 (2) All fingerprints submitted to the Department of Law  
4064 Enforcement pursuant to this part shall be retained by the  
4065 Department of Law Enforcement and entered into the statewide  
4066 automated fingerprint identification system as authorized by s.  
4067 943.05(2)(b) and shall be available for all purposes and uses  
4068 authorized for arrest fingerprint cards entered into the  
4069 statewide automated fingerprint identification system pursuant  
4070 to s. 943.051.

4071 (3) The Department of Law Enforcement shall search all  
4072 arrest fingerprints received pursuant to s. 943.051, against the  
4073 fingerprints retained in the statewide automated fingerprint  
4074 identification system. Any arrest record that is identified with  
4075 the retained fingerprints of a person subject to the criminal  
4076 history screening under this part shall be reported to the  
4077 department. Each licensee shall pay a fee to the department for  
4078 the cost of retention of the fingerprints and the ongoing  
4079 searches under this subsection. The department shall forward the  
4080 payment to the Department of Law Enforcement. The amount of the  
4081 fee to be imposed for performing these searches and the

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4082 procedures for the retention of licensee fingerprints shall be  
4083 as established by rule of the Department of Law Enforcement. The  
4084 department shall inform the Department of Law Enforcement of any  
4085 change in the license status of licensees whose fingerprints are  
4086 retained under subsection (2).

4087 (4) The department shall request the Department of Law  
4088 Enforcement to forward the fingerprints to the Federal Bureau of  
4089 Investigation for a national criminal history records check  
4090 every 3 years following issuance of a license. If the  
4091 fingerprints of a person who is licensed have not been retained  
4092 by the Department of Law Enforcement, the person must file  
4093 another set of fingerprints. The department shall collect the  
4094 fees for the cost of the national criminal history record check  
4095 under this subsection and shall forward the payment to the  
4096 Department of Law Enforcement. The cost of processing  
4097 fingerprints and conducting a criminal history record check  
4098 under this subsection shall be borne by the licensee or  
4099 applicant. The Department of Law Enforcement may submit an  
4100 invoice to the department for the fingerprints submitted each  
4101 month. Under penalty of perjury, each person who is licensed or  
4102 who is fingerprinted as required by this section must agree to  
4103 inform the department within 48 hours if he or she is convicted  
4104 of or has entered a plea of guilty or nolo contendere to any  
4105 disqualifying offense, regardless of adjudication.

4106 Section 59. Section 551.221, Florida Statutes, is created  
4107 to read:

4108 551.221 Supplier licenses.—

4109 (1) A person must have a supplier license in order to  
4110 furnish on a regular or continuing basis to a resort licensee or  
4111 an applicant for a resort license gaming equipment, devices, or  
4112 supplies or other goods or services regarding the operation of  
4113 limited gaming at the facility.

4114 (2) An applicant for a supplier license must apply to the  
4115 department on forms adopted by the department by rule. The  
4116 licensing fee for the initial and annual renewal of the license  
4117 shall be a scale of fees determined by rule of the department  
4118 based on the type of service provided by the supplier but may  
4119 not exceed \$25,000.

4120 (3) An applicant for a supplier license must include in  
4121 the application the fingerprints of the persons identified by  
4122 department rule for the processing of state and national  
4123 criminal history record checks.

4124 (4) (a) An applicant for a supplier license is not eligible  
4125 for licensure if:

4126 1. A person for whom fingerprinting is required under  
4127 subsection (3) has been convicted of a felony under the laws of  
4128 this state, any other state, or the United States;

4129 2. The applicant knowingly submitted false information in  
4130 the application for a supplier license;

4131 3. The applicant is an employee of the department;



4132 4. The applicant is not a natural person and an officer,  
4133 director, or managerial employee of that person is a person  
4134 described in subparagraphs 1.-3.;

4135 5. The applicant is not a natural person and an employee  
4136 of the applicant participates in the management or operation of  
4137 limited gaming authorized under this part; or

4138 6. The applicant has had a license to own or operate a  
4139 resort facility or pari-mutuel facility in this state, or a  
4140 similar license in any other jurisdiction, revoked.

4141 (b) The department may revoke a supplier license at any  
4142 time it determines that the licensee no longer satisfies the  
4143 eligibility requirements in this subsection.

4144 (5) The department may deny an application for a supplier  
4145 license for any person who:

4146 (a) Is not qualified to perform the duties required of a  
4147 licensee;

4148 (b) Fails to disclose information or knowingly submits  
4149 false information in the application;

4150 (c) Has violated this part or rules of the department; or

4151 (d) Has had a gaming-related license or application  
4152 suspended, restricted, revoked, or denied for misconduct in any  
4153 other jurisdiction.

4154 (6) A supplier licensee shall:

4155 (a) Furnish to the department a list of all gaming  
4156 equipment, devices, and supplies it offers for sale or lease in  
4157 connection with limited gaming authorized in this part;

4158        (b) Keep books and records documenting the furnishing of  
 4159 gaming equipment, devices, and supplies to resort licensees  
 4160 separate and distinct from any other business that the supplier  
 4161 operates;

4162        (c) File quarterly returns with the department listing all  
 4163 sales or leases of gaming equipment, devices, or supplies to  
 4164 resort licensees;

4165        (d) Permanently affix its name to all gaming equipment,  
 4166 devices, or supplies sold or leased to licensees; and

4167        (e) File an annual report listing its inventories of  
 4168 gaming equipment, devices, and supplies, including the locations  
 4169 of such equipment.

4170        (7) All gaming devices, equipment, or supplies furnished  
 4171 by a licensed supplier must conform to standards adopted by  
 4172 department rule.

4173        (8) (a) The department may suspend, revoke, or restrict the  
 4174 supplier license of a licensee who:

- 4175        1. Violates this part or the rules of the department; or  
 4176        2. Defaults on the payment of any obligation or debt due  
 4177 to this state or a county.

4178        (b) The department must revoke the supplier license of a  
 4179 licensee for any cause that, if known to the department, would  
 4180 have disqualified the applicant from receiving a license.

4181        (9) A supplier licensee may repair gaming equipment,  
 4182 devices, or supplies in a facility owned or leased by the  
 4183 licensee.

4184       (10) Gaming devices, equipment, or supplies owned by a  
 4185 supplier licensee which are used in an unauthorized gaming  
 4186 operation shall be forfeited to the county where the equipment  
 4187 is found.

4188       (11) The department may revoke the license or deny the  
 4189 application for a supplier license of a person who fails to  
 4190 comply with this section.

4191       (12) A person who knowingly makes a false statement on an  
 4192 application for a supplier license commits a misdemeanor of the  
 4193 first degree, punishable as provided in s. 775.082 or s.  
 4194 775.083.

4195       Section 60. Section 551.222, Florida Statutes, is created  
 4196 to read:

4197       551.222 Occupational licenses.—

4198       (1) The Legislature finds that, due to the nature of their  
 4199 employment, some gaming employees require heightened state  
 4200 scrutiny, including licensing and criminal history record  
 4201 checks.

4202       (2) Any person who desires to be a gaming employee and has  
 4203 a bona fide offer of employment from a licensed gaming entity  
 4204 shall apply to the department for an occupational license. A  
 4205 person may not be employed as a gaming employee unless that  
 4206 person holds an appropriate occupational license issued under  
 4207 this section. The department may adopt rules to reclassify a  
 4208 category of nongaming employees or gaming employees upon a

4209 finding that the reclassification is in the public interest and  
4210 consistent with the objectives of this part.

4211 (3) An applicant for an occupational license must apply to  
4212 the department on forms adopted by the department by rule. An  
4213 occupational license is valid for 4 years following issuance.  
4214 The application must be accompanied by the licensing fee set by  
4215 the department. The licensing fee may not exceed \$250 for an  
4216 employee of a resort licensee.

4217 (a) The applicant shall set forth in the application  
4218 whether the applicant:

4219 1. Has been issued a gaming-related license in any  
4220 jurisdiction.

4221 2. Has been issued a gaming-related license in any other  
4222 jurisdiction under any other name and, if so, the name and the  
4223 applicant's age at the time of licensure.

4224 3. Has had a permit or license issued by another  
4225 jurisdiction suspended, restricted, or revoked and, if so, for  
4226 what period of time.

4227 (b) An applicant for an occupational license must include  
4228 his or her fingerprints in the application.

4229 (4) To be eligible for an occupational license, an  
4230 applicant must:

4231 (a) Be at least 21 years of age to perform any function  
4232 directly relating to limited gaming by patrons;

4233 (b) Be at least 18 years of age to perform nongaming  
4234 functions;

4235        (c) Not have been convicted of a felony or a crime  
 4236 involving dishonesty or moral turpitude in any jurisdiction; and  
 4237        (d) Meet the standards for the occupational license as  
 4238 provided in department rules.  
 4239        (5) The department must deny an application for an  
 4240 occupational license for any person who:  
 4241        (a) Is not qualified to perform the duties required of a  
 4242 licensee;  
 4243        (b) Fails to disclose or knowingly submits false  
 4244 information in the application;  
 4245        (c) Has violated this part; or  
 4246        (d) Has had a gaming-related license or application  
 4247 suspended, revoked, or denied in any other jurisdiction.  
 4248        (6) (a) The department may suspend, revoke, or restrict the  
 4249 occupational license of a licensee:  
 4250        1. Who violates this part or the rules of the department;  
 4251        2. Who defaults on the payment of any obligation or debt  
 4252 due to this state or a county; or  
 4253        3. For any just cause.  
 4254        (b) The department shall revoke the occupational license  
 4255 of a licensee for any cause that, if known to the department,  
 4256 would have disqualified the applicant from receiving a license.  
 4257        (7) Any training provided for an occupational licensee may  
 4258 be conducted in the facility of a resort licensee or at a school  
 4259 with which the resort licensee has entered into an agreement for  
 4260 that purpose.

4261       (8) A licensed travel agent whose commission or  
4262 compensation from a licensee is derived solely from the price of  
4263 the transportation or lodging arranged for by the travel agent  
4264 is not required to have an occupational license.

4265       (9) A person who knowingly makes a false statement on an  
4266 application for an occupational license commits a misdemeanor of  
4267 the first degree, punishable as provided in s. 775.082 or s.  
4268 775.083.

4269       Section 61. Section 551.223, Florida Statutes, is created  
4270 to read:

4271       551.223 Temporary supplier license; temporary occupational  
4272 license.—

4273       (1) Upon the written request of an applicant for a  
4274 supplier license or an occupational license, the department  
4275 shall issue a temporary license to the applicant and permit the  
4276 applicant to undertake employment with or provide gaming  
4277 equipment, devices, or supplies or other goods or services to a  
4278 resort licensee or an applicant for a resort license if:

4279       (a) The applicant has submitted a completed application,  
4280 an application fee, all required disclosure forms, and other  
4281 required written documentation and materials;

4282       (b) A preliminary review of the application and the  
4283 criminal history record check does not reveal that the applicant  
4284 or a person subject to a criminal history record check has been  
4285 convicted of a crime that would require denial of the  
4286 application;

4287 (c) A deficiency does not appear to exist in the  
 4288 application which may require denial of the application; and

4289 (d) The applicant has an offer of employment from, or an  
 4290 agreement to begin providing gaming devices, equipment, or  
 4291 supplies or other goods and services to, a resort licensee or an  
 4292 applicant for a resort license, or the applicant for a temporary  
 4293 license shows good cause for being granted a temporary license.

4294 (2) An initial temporary occupational license or  
 4295 supplier's license may not be valid for more than 90 days;  
 4296 however, a temporary occupational license may be renewed one  
 4297 time for an additional 90 days.

4298 (3) An applicant who receives a temporary license may  
 4299 undertake employment with or supply a resort licensee with  
 4300 gaming devices, equipment, or supplies or other goods or  
 4301 services until a license is issued or denied or until the  
 4302 temporary license expires or is suspended or revoked.

4303 Section 62. Section 551.225, Florida Statutes, is created  
 4304 to read:

4305 551.225 Quarterly report.—The department shall file  
 4306 quarterly reports with the Governor and Cabinet, the President  
 4307 of the Senate, and the Speaker of the House of Representatives  
 4308 covering the previous fiscal quarter. Each report must include:

4309 (1) A statement of receipts and disbursements related to  
 4310 limited gaming.

4311 (2) A summary of disciplinary actions taken by the  
 4312 department.

4313 (3) Any additional information and recommendations that  
4314 the department believes may improve the regulation of limited  
4315 gaming or increase the economic benefits of limited gaming to  
4316 this state.

4317 Section 63. Section 551.227, Florida Statutes, is created  
4318 to read:

4319 551.227 Resolution of disputes between licensees and  
4320 wagerers.—

4321 (1)(a) The licensee must immediately notify the department  
4322 of a dispute whenever a resort licensee has a dispute with a  
4323 wagerer which is not resolved to the satisfaction of the patron  
4324 if the amount disputed is \$500 or more and involves:

4325 1. Alleged winnings, alleged losses, or the award or  
4326 distribution of cash, prizes, benefits, tickets, or any other  
4327 item or items in a game, tournament, contest, drawing,  
4328 promotion, race, or similar activity or event; or

4329 2. The manner in which a game, tournament, contest,  
4330 drawing, promotion, race, or similar activity or event was  
4331 conducted.

4332 (b) If the dispute involves an amount less than \$500, the  
4333 licensee must immediately notify the wagerer of his or her right  
4334 to file a complaint with the department.

4335 (2) Upon notice of a dispute or receipt of a complaint,  
4336 the department shall conduct any investigation it deems  
4337 necessary and may order the licensee to make a payment to the  
4338 wagerer upon a finding that the licensee is liable for the



4339 disputed amount. The decision of the department is effective on  
4340 the date the aggrieved party receives notice of the decision.  
4341 Notice of the decision is deemed sufficient if it is mailed to  
4342 the last known address of the licensee and the wagerer. The  
4343 notice is deemed to have been received by the resort licensee or  
4344 the wagerer 5 days after it is deposited with the United States  
4345 Postal Service with postage prepaid.

4346 (3) The failure of a resort licensee to notify the  
4347 department of the dispute or the wagerer of the right to file a  
4348 complaint is grounds for disciplinary action.

4349 (4) This section may not be construed to deny a wagerer an  
4350 opportunity to make a claim in state court for nongaming-related  
4351 issues.

4352 Section 64. Section 551.228, Florida Statutes, is created  
4353 to read:

4354 551.228 Credit instruments.—A resort licensee may offer  
4355 credit instruments. Credit instruments may be enforced in  
4356 accordance with the Uniform Commercial Code.

4357 Section 65. Section 551.230, Florida Statutes, is created  
4358 to read:

4359 551.230 Compulsive or addictive gambling prevention  
4360 program.—

4361 (1) A resort licensee shall offer training to employees on  
4362 responsible gaming and shall work with a compulsive or addictive  
4363 gambling prevention program to recognize problem gaming

4364 situations and to implement responsible gaming programs and  
4365 practices.

4366 (2) The department shall, subject to competitive bidding,  
4367 contract for services relating to the prevention of compulsive  
4368 and addictive gambling. The contract shall provide for an  
4369 advertising program to encourage responsible gaming practices  
4370 and to publicize a gambling telephone help line. Such  
4371 advertisements must be made both publicly and inside the  
4372 resort's limited gaming facility. The terms of any contract for  
4373 such services shall include accountability standards that must  
4374 be met by any private provider. The failure of a private  
4375 provider to meet any material terms of the contract, including  
4376 the accountability standards, constitutes a breach of contract  
4377 or is grounds for nonrenewal. The department may consult with  
4378 the Department of the Lottery in the development of the program  
4379 and the development and analysis of any procurement for  
4380 contractual services for the compulsive or addictive gambling  
4381 prevention program.

4382 (3) The compulsive or addictive gambling prevention  
4383 program shall be funded from an annual nonrefundable regulatory  
4384 fee of \$250,000 paid by each resort licensee to the department.

4385 Section 66. Section 551.231, Florida Statutes, is created  
4386 to read:

4387 551.231 Voluntary self-exclusion from a limited gaming  
4388 facility.-

4389 (1) A person may request that he or she be excluded from  
4390 limited gaming facilities in this state by personally submitting  
4391 a Request for Voluntary Self-exclusion from Limited Gaming  
4392 Facilities Form to the department. The form must require the  
4393 person requesting exclusion to:

4394 (a) State his or her:

4395 1. Name, including any aliases or nicknames;

4396 2. Date of birth;

4397 3. Current residential address;

4398 4. Telephone number;

4399 5. Social security number; and

4400 6. Physical description, including height, weight, gender,

4401 hair color, eye color, and any other physical characteristic

4402 that may assist in the identification of the person.

4403

4404 A self-excluded person must update the information in this

4405 paragraph on forms supplied by the department within 30 days

4406 after any change.

4407 (b) Select one of the following as the duration of the

4408 self-exclusion:

4409 1. One year.

4410 2. Five years.

4411 (c) Execute a release in which the person:

4412 1. Acknowledges that the request for exclusion has been

4413 made voluntarily.

4414 2. Certifies that the information provided in the request  
4415 for self-exclusion is true and correct.

4416 3. Acknowledges that the individual requesting self-  
4417 exclusion is a problem gambler.

4418 4. Acknowledges that a person requesting a 1-year or 5-  
4419 year exclusion will remain on the self-exclusion list until a  
4420 request for removal is approved by the department.

4421 5. Acknowledges that, if the individual is discovered on  
4422 the gaming floor of a limited gaming facility, the individual  
4423 may be removed and may be arrested and prosecuted for criminal  
4424 trespass.

4425 6. Releases, indemnifies, holds harmless, and forever  
4426 discharges the state, department, and all licensee from any  
4427 claims, damages, losses, expenses, or liability arising out of,  
4428 by reason of or relating to the self-excluded person or to any  
4429 other party for any harm, monetary or otherwise, which may arise  
4430 as a result of one or more of the following:

4431 a. The failure of a resort licensee to withhold gaming  
4432 privileges from or restore gaming privileges to a self-excluded  
4433 person.

4434 b. Permitting or prohibiting a self-excluded person from  
4435 engaging in gaming activity in a limited gaming facility.

4436 (2) A person submitting a self-exclusion request must  
4437 present to the department a government-issued form of  
4438 identification containing the person's signature.

4439 (3) The department shall take a photograph of a person

4440 requesting self-exclusion at the time the person submits a  
4441 request for self-exclusion.

4442 Section 67. Effective October 1, 2015, part III of chapter  
4443 551, Florida Statutes, consisting of s. 551.301, Florida  
4444 Statutes, is created and entitled "Cardrooms."

4445 Section 68. Effective October 1, 2015, section 849.086,  
4446 Florida Statutes, is transferred, renumbered as section 551.301,  
4447 Florida Statutes, and amended to read:

4448 551.301 ~~849.086~~ Cardrooms authorized.-

4449 (1) LEGISLATIVE INTENT.-It is the intent of the  
4450 Legislature to provide additional entertainment choices for the  
4451 residents of and visitors to the state, promote tourism in the  
4452 state, and provide additional state revenues through the  
4453 authorization of the playing of certain games in the state at  
4454 facilities known as cardrooms which are to be located at  
4455 licensed pari-mutuel facilities. To ensure the public confidence  
4456 in the integrity of authorized cardroom operations, this act is  
4457 designed to strictly regulate the facilities, persons, and  
4458 procedures related to cardroom operations. Furthermore, the  
4459 Legislature finds that authorized games as herein defined are  
4460 considered to be pari-mutuel style games and not casino gaming  
4461 because the participants play against each other instead of  
4462 against the house.

4463 (2) DEFINITIONS.-As used in this section:

4464 (a) "Authorized game" means a game or series of games of  
4465 poker or dominoes which are played in a nonbanking manner.

4466 (b) "Banking game" means a game in which the house is a  
 4467 participant in the game, taking on players, paying winners, and  
 4468 collecting from losers or in which the cardroom establishes a  
 4469 bank against which participants play.

4470 (c) "Cardroom" means a facility where authorized games are  
 4471 played for money or anything of value and to which the public is  
 4472 invited to participate in such games and charged a fee for  
 4473 participation by the operator of such facility. Authorized games  
 4474 and cardrooms do not constitute casino gaming operations.

4475 (d) "Cardroom management company" means any individual not  
 4476 an employee of the cardroom operator, any proprietorship,  
 4477 partnership, corporation, or other entity that enters into an  
 4478 agreement with a cardroom operator to manage, operate, or  
 4479 otherwise control the daily operation of a cardroom.

4480 (e) "Cardroom distributor" means any business that  
 4481 distributes cardroom paraphernalia such as card tables, betting  
 4482 chips, chip holders, dominoes, dominoes tables, drop boxes,  
 4483 banking supplies, playing cards, card shufflers, and other  
 4484 associated equipment to authorized cardrooms.

4485 (f) "Cardroom operator" means a licensed pari-mutuel  
 4486 permitholder which holds a valid permit and license issued by  
 4487 the department ~~division~~ pursuant to chapter 550 and which also  
 4488 holds a valid cardroom license issued by the department ~~division~~  
 4489 pursuant to this section which authorizes such person to operate  
 4490 a cardroom and to conduct authorized games in such cardroom.

4491 (g) "Department ~~Division~~" means the Department of Gaming

4492 ~~Control Division of Pari-mutuel Wagering of the Department of~~  
4493 ~~Business and Professional Regulation.~~

4494 (h) "Dominoes" means a game of dominoes typically played  
4495 with a set of 28 flat rectangular blocks, called "bones," which  
4496 are marked on one side and divided into two equal parts, with  
4497 zero to six dots, called "pips," in each part. The term also  
4498 includes larger sets of blocks that contain a correspondingly  
4499 higher number of pips. The term also means the set of blocks  
4500 used to play the game.

4501 (i) "Gross receipts" means the total amount of money  
4502 received by a cardroom from any person for participation in  
4503 authorized games.

4504 (j) "House" means the cardroom operator and all employees  
4505 of the cardroom operator.

4506 (k) "Net proceeds" means the total amount of gross  
4507 receipts received by a cardroom operator from cardroom  
4508 operations less direct operating expenses related to cardroom  
4509 operations, including labor costs, admission taxes only if a  
4510 separate admission fee is charged for entry to the cardroom  
4511 facility, gross receipts taxes imposed on cardroom operators by  
4512 this section, the annual cardroom license fees imposed by this  
4513 section on each table operated at a cardroom, and reasonable  
4514 promotional costs excluding officer and director compensation,  
4515 interest on capital debt, legal fees, real estate taxes, bad  
4516 debts, contributions or donations, or overhead and depreciation  
4517 expenses not directly related to the operation of the cardrooms.

4518 (1) "Rake" means a set fee or percentage of the pot  
 4519 assessed by a cardroom operator for providing the services of a  
 4520 dealer, table, or location for playing the authorized game.

4521 (m) "Tournament" means a series of games that have more  
 4522 than one betting round involving one or more tables and where  
 4523 the winners or others receive a prize or cash award.

4524 (3) CARDROOM AUTHORIZED.—Notwithstanding any other  
 4525 provision of law, it is not a crime for a person to participate  
 4526 in an authorized game at a licensed cardroom or to operate a  
 4527 cardroom described in this section if such game and cardroom  
 4528 operation are conducted strictly in accordance with the  
 4529 provisions of this section.

4530 (4) POWERS AND DUTIES OF THE DEPARTMENT ~~AUTHORITY OF~~  
 4531 ~~DIVISION.~~—The department ~~Division of Pari-mutuel Wagering of the~~  
 4532 ~~Department of Business and Professional Regulation~~ shall  
 4533 administer this section and regulate the operation of cardrooms  
 4534 under this section and the rules adopted pursuant thereto, and  
 4535 is hereby authorized to:

4536 (a) Adopt rules, including, but not limited to: the  
 4537 issuance of cardroom and employee licenses for cardroom  
 4538 operations; the operation of a cardroom; recordkeeping and  
 4539 reporting requirements; and the collection of all fees and taxes  
 4540 imposed by this section.

4541 (b) Conduct investigations and monitor the operation of  
 4542 cardrooms and the playing of authorized games therein.

4543 (c) Review the books, accounts, and records of any current



4544 or former cardroom operator.

4545 (d) Suspend or revoke any license or permit, after  
 4546 hearing, for any violation of the provisions of this section or  
 4547 the administrative rules adopted pursuant thereto.

4548 (e) Take testimony, issue summons and subpoenas for any  
 4549 witness, and issue subpoenas duces tecum in connection with any  
 4550 matter within its jurisdiction.

4551 (f) Monitor and ensure the proper collection of taxes and  
 4552 fees imposed by this section. Permitholder internal controls are  
 4553 mandated to ensure no compromise of state funds. To that end, a  
 4554 roaming department ~~division~~ auditor will monitor and verify the  
 4555 cash flow and accounting of cardroom revenue for any given  
 4556 operating day.

4557 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
 4558 operate a cardroom in this state unless such person holds a  
 4559 valid cardroom license issued pursuant to this section.

4560 (a) Only those persons holding a valid cardroom license  
 4561 issued by the department ~~division~~ may operate a cardroom. A  
 4562 cardroom license may only be issued to a licensed pari-mutuel  
 4563 permitholder. ~~and~~ An authorized cardroom may only be operated at  
 4564 the same facility at which the permitholder is authorized under  
 4565 its valid pari-mutuel wagering permit to conduct pari-mutuel  
 4566 wagering activities. An initial cardroom license shall be issued  
 4567 to a pari-mutuel permitholder only after its facilities are in  
 4568 place and after it conducts its first day of live racing or  
 4569 games. For greyhound permitholders, an initial cardroom license

4570 shall only be issued to greyhound racing permitholders that held  
4571 an active operating license for 10 years and held a full  
4572 schedule of live racing for 10 years, and to converted greyhound  
4573 permitholders if the permit was converted pursuant to s.  
4574 550.054(14). A new cardroom license may not be issued in an area  
4575 unless the local government has approved such activity within  
4576 its boundaries in accordance with subsection (16).

4577 (b) After the initial cardroom license is granted, the  
4578 application for the annual license renewal shall be made in  
4579 conjunction with the applicant's annual application for its  
4580 pari-mutuel license. If a permitholder has operated a cardroom  
4581 during any of the 3 previous fiscal years and fails to include a  
4582 renewal request for the operation of the cardroom in its annual  
4583 application for license renewal, the permitholder may amend its  
4584 annual application to include operation of the cardroom. In  
4585 order for a cardroom license to be renewed the applicant must  
4586 have requested, as part of its pari-mutuel annual license  
4587 application, to conduct at least 90 percent of the total number  
4588 of live performances conducted by such permitholder during  
4589 either the state fiscal year in which its initial cardroom  
4590 license was issued or the state fiscal year immediately prior  
4591 thereto if the permitholder ran at least a full schedule of live  
4592 racing or games in the prior year. If the application is for a  
4593 harness permitholder cardroom, the applicant must have requested  
4594 authorization to conduct a minimum of 140 live performances  
4595 during the state fiscal year immediately prior thereto. If more

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4596 than one permitholder is operating at a facility, each  
4597 permitholder must have applied for a license to conduct a full  
4598 schedule of live racing. Notwithstanding the full schedule of  
4599 live performance requirements in this paragraph, an annual  
4600 cardroom license for greyhound racing permitholders that hold a  
4601 current year's operating license and previously held an active  
4602 operating license for 10 years, or converted pursuant to s.  
4603 550.054(14), are not required to conduct a minimum number of  
4604 live performances in order to receive, maintain, or renew a  
4605 cardroom license. However, as a condition of cardroom licensure,  
4606 greyhound racing permitholders who are not conducting a full  
4607 schedule of live racing must conduct intertrack wagering on  
4608 greyhound signals, to the extent available, on each day of  
4609 cardroom operation.

4610 (c) Persons seeking a license or a renewal thereof to  
4611 operate a cardroom shall make application on forms prescribed by  
4612 the department ~~division~~. Applications for cardroom licenses  
4613 shall contain all of the information the department ~~division~~, by  
4614 rule, may determine is required to ensure eligibility.

4615 (d) The annual cardroom license fee for each facility  
4616 shall be \$1,000 for each table to be operated at the cardroom.  
4617 The license fee shall be deposited by the department ~~division~~  
4618 with the Chief Financial Officer to the credit of the Pari-  
4619 mutuel Wagering Trust Fund.

4620 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED;  
4621 APPLICATION; FEES.—

4622 (a) A person employed or otherwise working in a cardroom  
 4623 as a cardroom manager, floor supervisor, pit boss, dealer, or  
 4624 any other activity related to cardroom operations while the  
 4625 facility is conducting card playing or games of dominoes must  
 4626 hold a valid cardroom employee occupational license issued by  
 4627 the department ~~division~~. Food service, maintenance, and security  
 4628 employees with a current pari-mutuel occupational license and a  
 4629 current background check will not be required to have a cardroom  
 4630 employee occupational license.

4631 (b) Any cardroom management company or cardroom  
 4632 distributor associated with cardroom operations must hold a  
 4633 valid cardroom business occupational license issued by the  
 4634 department ~~division~~.

4635 (c) No licensed cardroom operator may employ or allow to  
 4636 work in a cardroom any person unless such person holds a valid  
 4637 occupational license. No licensed cardroom operator may  
 4638 contract, or otherwise do business with, a business required to  
 4639 hold a valid cardroom business occupational license, unless the  
 4640 business holds such a valid license.

4641 (d) The department ~~division~~ shall establish, by rule, a  
 4642 schedule for the renewal of cardroom occupational licenses.  
 4643 Cardroom occupational licenses are not transferable.

4644 (e) Persons seeking cardroom occupational licenses, or  
 4645 renewal thereof, shall make application on forms prescribed by  
 4646 the department ~~division~~. Applications for cardroom occupational  
 4647 licenses shall contain all of the information the department

4648 ~~division~~, by rule, may determine is required to ensure  
4649 eligibility.

4650 (f) The department ~~division~~ shall adopt rules regarding  
4651 cardroom occupational licenses. The provisions specified in s.  
4652 550.105(4), (5), (6), (7), (8), and (10) relating to licensure  
4653 shall be applicable to cardroom occupational licenses.

4654 (g) The department ~~division~~ may deny, declare ineligible,  
4655 or revoke any cardroom occupational license if the applicant or  
4656 holder thereof has been found guilty or had adjudication  
4657 withheld in this state or any other state, or under the laws of  
4658 the United States of a felony or misdemeanor involving forgery,  
4659 larceny, extortion, conspiracy to defraud, or filing false  
4660 reports to a government agency, racing or gaming commission or  
4661 authority.

4662 (h) Fingerprints for all cardroom occupational license  
4663 applications shall be taken in a manner approved by the  
4664 department ~~division~~ and then shall be submitted to the Florida  
4665 Department of Law Enforcement and the Federal Bureau of  
4666 Investigation for a criminal records check upon initial  
4667 application and at least every 5 years thereafter. The  
4668 department ~~division~~ may by rule require an annual record check  
4669 of all renewal applications for a cardroom occupational license.  
4670 The cost of processing fingerprints and conducting a record  
4671 check shall be borne by the applicant.

4672 (i) The cardroom employee occupational license fee shall  
4673 not exceed \$50 for any 12-month period. The cardroom business

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4674 occupational license fee shall not exceed \$250 for any 12-month  
4675 period.

4676 (7) CONDITIONS FOR OPERATING A CARDROOM.—

4677 (a) A cardroom may be operated only at the location  
4678 specified on the cardroom license issued by the department  
4679 ~~division~~, and such location may only be the location at which  
4680 the pari-mutuel permitholder is authorized to conduct pari-  
4681 mutuel wagering activities pursuant to such permitholder's valid  
4682 pari-mutuel permit or as otherwise authorized by law. Cardroom  
4683 operations may not be allowed beyond the hours provided in  
4684 paragraph (b) regardless of the number of cardroom licenses  
4685 issued for permitholders operating at the pari-mutuel facility.

4686 (b) Any cardroom operator may operate a cardroom at the  
4687 pari-mutuel facility daily throughout the year, if the  
4688 permitholder meets the requirements under paragraph (5) (b). The  
4689 cardroom may be open ~~a cumulative amount of 18 hours per day on~~  
4690 ~~Monday through Friday and 24 hours per day on Saturday and~~  
4691 ~~Sunday and on the holidays specified in s. 110.117(1).~~

4692 (c) A cardroom operator must at all times employ and  
4693 provide a nonplaying dealer for each table on which authorized  
4694 card games which traditionally use a dealer are conducted at the  
4695 cardroom. Such dealers may not have a participatory interest in  
4696 any game other than the dealing of cards and may not have an  
4697 interest in the outcome of the game. The providing of such  
4698 dealers by a licensee does not constitute the conducting of a  
4699 banking game by the cardroom operator.

4700 (d) A cardroom operator may award giveaways, jackpots, and  
 4701 prizes to a player who holds certain combinations of cards  
 4702 specified by the cardroom operator.

4703 (e) Each cardroom operator shall conspicuously post upon  
 4704 the premises of the cardroom a notice which contains a copy of  
 4705 the cardroom license; a list of authorized games offered by the  
 4706 cardroom; the wagering limits imposed by the house, if any; any  
 4707 additional house rules regarding operation of the cardroom or  
 4708 the playing of any game; and all costs to players to  
 4709 participate, including any rake by the house. In addition, each  
 4710 cardroom operator shall post at each table a notice of the  
 4711 minimum and maximum bets authorized at such table and the fee  
 4712 for participation in the game conducted.

4713 (f) The cardroom facility is subject to inspection by the  
 4714 department ~~division~~ or any law enforcement agency during the  
 4715 licensee's regular business hours. The inspection must  
 4716 specifically include the permitholder internal control  
 4717 procedures approved by the department ~~division~~.

4718 (g) A cardroom operator may refuse entry to or refuse to  
 4719 allow any person who is objectionable, undesirable, or  
 4720 disruptive to play, but such refusal may not be on the basis of  
 4721 race, creed, color, religion, gender, national origin, marital  
 4722 status, physical handicap, or age, except as provided in this  
 4723 section.

4724 (8) METHOD OF WAGERS; LIMITATION.—

4725 (a) No wagering may be conducted using money or other

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4726 negotiable currency. Games may only be played utilizing a  
4727 wagering system whereby all players' money is first converted by  
4728 the house to tokens or chips which shall be used for wagering  
4729 only at that specific cardroom.

4730 (b) The cardroom operator may limit the amount wagered in  
4731 any game or series of games.

4732 (c) A tournament shall consist of a series of games. The  
4733 entry fee for a tournament may be set by the cardroom operator.  
4734 Tournaments may be played only with tournament chips that are  
4735 provided to all participants in exchange for an entry fee and  
4736 any subsequent re-buys. All players must receive an equal number  
4737 of tournament chips for their entry fee. Tournament chips have  
4738 no cash value and represent tournament points only. There is no  
4739 limitation on the number of tournament chips that may be used  
4740 for a bet except as otherwise determined by the cardroom  
4741 operator. Tournament chips may never be redeemed for cash or for  
4742 any other thing of value. The distribution of prizes and cash  
4743 awards must be determined by the cardroom operator before entry  
4744 fees are accepted. For purposes of tournament play only, the  
4745 term "gross receipts" means the total amount received by the  
4746 cardroom operator for all entry fees, player re-buys, and fees  
4747 for participating in the tournament less the total amount paid  
4748 to the winners or others as prizes.

4749 (9) BOND REQUIRED.—The holder of a cardroom license shall  
4750 be financially and otherwise responsible for the operation of  
4751 the cardroom and for the conduct of any manager, dealer, or



4752 other employee involved in the operation of the cardroom. Prior  
4753 to the issuance of a cardroom license, each applicant for such  
4754 license shall provide evidence of a surety bond in the amount of  
4755 \$50,000, payable to the state, furnished by a corporate surety  
4756 authorized to do business in the state or evidence that the  
4757 licensee's pari-mutuel bond required by s. 550.125 has been  
4758 expanded to include the applicant's cardroom operation. The bond  
4759 shall guarantee that the cardroom operator will redeem, for  
4760 cash, all tokens or chips used in games. Such bond shall be kept  
4761 in full force and effect by the operator during the term of the  
4762 license.

4763 (10) FEE FOR PARTICIPATION.—The cardroom operator may  
4764 charge a fee for the right to participate in games conducted at  
4765 the cardroom. Such fee may be either a flat fee or hourly rate  
4766 for the use of a seat at a table or a rake subject to the posted  
4767 maximum amount but may not be based on the amount won by  
4768 players. The rake-off, if any, must be made in an obvious manner  
4769 and placed in a designated rake area which is clearly visible to  
4770 all players. Notice of the amount of the participation fee  
4771 charged shall be posted in a conspicuous place in the cardroom  
4772 and at each table at all times.

4773 (11) RECORDS AND REPORTS.—

4774 (a) Each licensee operating a cardroom shall keep and  
4775 maintain permanent daily records of its cardroom operation and  
4776 shall maintain such records for a period of not less than 3  
4777 years. These records shall include all financial transactions

4778 and contain sufficient detail to determine compliance with the  
4779 requirements of this section. All records shall be available for  
4780 audit and inspection by the department ~~division~~ or other law  
4781 enforcement agencies during the licensee's regular business  
4782 hours. The information required in such records shall be  
4783 determined by division rule.

4784 (b) Each licensee operating a cardroom shall file with the  
4785 department ~~division~~ a report containing the required records of  
4786 such cardroom operation. Such report shall be filed monthly by  
4787 licensees. The required reports shall be submitted on forms  
4788 prescribed by the department ~~division~~ and shall be due at the  
4789 same time as the monthly pari-mutuel reports are due to the  
4790 department ~~division~~, and such reports shall contain any  
4791 additional information deemed necessary by the department  
4792 ~~division~~, and the reports shall be deemed public records once  
4793 filed.

4794 (12) PROHIBITED ACTIVITIES.—

4795 (a) No person licensed to operate a cardroom may conduct  
4796 any banking game or any game not specifically authorized by this  
4797 section.

4798 (b) No person under 18 years of age may be permitted to  
4799 hold a cardroom or employee license, or engage in any game  
4800 conducted therein.

4801 (c) No electronic or mechanical devices, except mechanical  
4802 card shufflers, may be used to conduct any authorized game in a  
4803 cardroom.

4804 (d) No cards, game components, or game implements may be  
4805 used in playing an authorized game unless such has been  
4806 furnished or provided to the players by the cardroom operator.

4807 (13) TAXES AND OTHER PAYMENTS.—

4808 (a) Each cardroom operator shall pay a tax to the state of  
4809 10 percent of the cardroom operation's monthly gross receipts.

4810 (b) An admission tax equal to 15 percent of the admission  
4811 charge for entrance to the licensee's cardroom facility, or 10  
4812 cents, whichever is greater, is imposed on each person entering  
4813 the cardroom. This admission tax shall apply only if a separate  
4814 admission fee is charged for entry to the cardroom facility. If  
4815 a single admission fee is charged which authorizes entry to both  
4816 or either the pari-mutuel facility and the cardroom facility,  
4817 the admission tax shall be payable only once and shall be  
4818 payable pursuant to chapter 550. The cardroom licensee shall be  
4819 responsible for collecting the admission tax. An admission tax  
4820 is imposed on any free passes or complimentary cards issued to  
4821 guests by licensees in an amount equal to the tax imposed on the  
4822 regular and usual admission charge for entrance to the  
4823 licensee's cardroom facility. A cardroom licensee may issue tax-  
4824 free passes to its officers, officials, and employees or other  
4825 persons actually engaged in working at the cardroom, including  
4826 accredited press representatives such as reporters and editors,  
4827 and may also issue tax-free passes to other cardroom licensees  
4828 for the use of their officers and officials. The licensee shall  
4829 file with the department ~~division~~ a list of all persons to whom

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4830 tax-free passes are issued.

4831 (c) Payment of the admission tax and gross receipts tax  
4832 imposed by this section shall be paid to the department  
4833 ~~division~~. The department ~~division~~ shall deposit these sums with  
4834 the Chief Financial Officer, one-half being credited to the  
4835 Pari-mutuel Wagering Trust Fund and one-half being credited to  
4836 the General Revenue Fund. The cardroom licensee shall remit to  
4837 the department ~~division~~ payment for the admission tax, the gross  
4838 receipts tax, and the licensee fees. Such payments shall be  
4839 remitted to the department ~~division~~ on the fifth day of each  
4840 calendar month for taxes and fees imposed for the preceding  
4841 month's cardroom activities. Licensees shall file a report under  
4842 oath by the fifth day of each calendar month for all taxes  
4843 remitted during the preceding calendar month. Such report shall,  
4844 under oath, indicate the total of all admissions, the cardroom  
4845 activities for the preceding calendar month, and such other  
4846 information as may be prescribed by the department ~~division~~.

4847 (d)1. Each greyhound permitholder conducting live racing  
4848 and jai alai permitholder that operates a cardroom facility  
4849 shall use at least 4 percent of such permitholder's cardroom  
4850 monthly gross receipts to supplement greyhound purses or jai  
4851 alai prize money, respectively, during the permitholder's  
4852 current or next ensuing pari-mutuel meet.

4853 2. Each thoroughbred and harness horse racing permitholder  
4854 that operates a cardroom facility shall use at least 50 percent  
4855 of such permitholder's cardroom monthly net proceeds as follows:

4856 47 percent to supplement purses and 3 percent to supplement  
4857 breeders' awards during the permit holder's next ensuing racing  
4858 meet.

4859 3. A ~~Ne~~ cardroom license or renewal thereof may not ~~shall~~  
4860 be issued to an applicant holding a permit under chapter 550 to  
4861 conduct pari-mutuel wagering meets of quarter horse racing  
4862 unless the applicant has on file with the department ~~division~~ a  
4863 binding written agreement between the applicant and the Florida  
4864 Quarter Horse Racing Association or the association representing  
4865 a majority of the horse owners and trainers at the applicant's  
4866 eligible facility, governing the payment of purses on live  
4867 quarter horse races conducted at the licensee's pari-mutuel  
4868 facility. The agreement governing purses may direct the payment  
4869 of such purses from revenues generated by any wagering or gaming  
4870 the applicant is authorized to conduct under Florida law. All  
4871 purses shall be subject to the terms of chapter 550.

4872 (e) The failure of any licensee to make payments as  
4873 prescribed in paragraph (c) is a violation of this section, and  
4874 the licensee may be subjected by the department ~~division~~ to a  
4875 civil penalty of up to \$1,000 for each day the tax payment is  
4876 not remitted. All penalties imposed and collected shall be  
4877 deposited in the General Revenue Fund. If a licensee fails to  
4878 pay penalties imposed by order of the department ~~division~~ under  
4879 this subsection, the department ~~division~~ may suspend or revoke  
4880 the license of the cardroom operator or deny issuance of any  
4881 further license to the cardroom operator.

4882 (f) The cardroom shall be deemed an accessory use to a  
 4883 licensed pari-mutuel operation and, except as provided in  
 4884 chapter 550, a municipality, county, or political subdivision  
 4885 may not assess or collect any additional license tax, sales tax,  
 4886 or excise tax on such cardroom operation.

4887 (g) All of the moneys deposited in the Pari-mutuel  
 4888 Wagering Trust Fund, except as set forth in paragraph (h), shall  
 4889 be utilized and distributed in the manner specified in s.  
 4890 550.135(1) and (2). However, cardroom tax revenues shall be kept  
 4891 separate from pari-mutuel tax revenues and shall not be used for  
 4892 making the disbursement to counties provided in former s.  
 4893 550.135(1).

4894 (h) One-quarter of the moneys deposited into the Pari-  
 4895 mutuel Wagering Trust Fund pursuant to paragraph (g) shall, by  
 4896 October 1 of each year, be distributed to the local government  
 4897 that approved the cardroom under subsection (16); however, if  
 4898 two or more pari-mutuel racetracks are located within the same  
 4899 incorporated municipality, the cardroom funds shall be  
 4900 distributed to the municipality. If a pari-mutuel facility is  
 4901 situated in such a manner that it is located in more than one  
 4902 county, the site of the cardroom facility shall determine the  
 4903 location for purposes of disbursement of tax revenues under this  
 4904 paragraph. The department ~~division~~ shall, by September 1 of each  
 4905 year, determine: the amount of taxes deposited into the Pari-  
 4906 mutuel Wagering Trust Fund pursuant to this section from each  
 4907 cardroom licensee; the location by county of each cardroom;

4908 whether the cardroom is located in the unincorporated area of  
 4909 the county or within an incorporated municipality; and, the  
 4910 total amount to be distributed to each eligible county and  
 4911 municipality.

4912 (14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

4913 (a) The department ~~division~~ may deny a license or the  
 4914 renewal thereof, or may suspend or revoke any license, when the  
 4915 applicant has: violated or failed to comply with the provisions  
 4916 of this section or any rules adopted pursuant thereto; knowingly  
 4917 caused, aided, abetted, or conspired with another to cause any  
 4918 person to violate this section or any rules adopted pursuant  
 4919 thereto; or obtained a license or permit by fraud,  
 4920 misrepresentation, or concealment; or if the holder of such  
 4921 license or permit is no longer eligible under this section.

4922 (b) If a pari-mutuel permitholder's pari-mutuel permit or  
 4923 license is suspended or revoked by the department ~~division~~  
 4924 pursuant to chapter 550, the department ~~division~~ may, but is not  
 4925 required to, suspend or revoke such permitholder's cardroom  
 4926 license. If a cardroom operator's license is suspended or  
 4927 revoked pursuant to this section, the department ~~division~~ may,  
 4928 but is not required to, suspend or revoke such licensee's pari-  
 4929 mutuel permit or license.

4930 (c) Notwithstanding any other provision of this section,  
 4931 the department ~~division~~ may impose an administrative fine not to  
 4932 exceed \$1,000 for each violation against any person who has  
 4933 violated or failed to comply with the provisions of this section

4934 or any rules adopted pursuant thereto.

4935 (15) CRIMINAL PENALTY; INJUNCTION.—

4936 (a)1. Any person who operates a cardroom without a valid  
 4937 license issued as provided in this section commits a felony of  
 4938 the third degree, punishable as provided in s. 775.082, s.  
 4939 775.083, or s. 775.084.

4940 2. Any licensee or permitholder who violates any provision  
 4941 of this section commits a misdemeanor of the first degree,  
 4942 punishable as provided in s. 775.082 or s. 775.083. Any licensee  
 4943 or permitholder who commits a second or subsequent violation of  
 4944 the same paragraph or subsection within a period of 3 years from  
 4945 the date of a prior conviction for a violation of such paragraph  
 4946 or subsection commits a felony of the third degree, punishable  
 4947 as provided in s. 775.082, s. 775.083, or s. 775.084.

4948 (b) The department ~~division~~, any state attorney, the  
 4949 statewide prosecutor, or the Attorney General may apply for a  
 4950 temporary or permanent injunction restraining further violation  
 4951 of this section, and such injunction shall issue without bond.

4952 (16) LOCAL GOVERNMENT APPROVAL.—The department ~~Division of~~  
 4953 ~~Pari-mutuel Wagering~~ shall not issue any initial license under  
 4954 this section except upon proof in such form as the department  
 4955 ~~division~~ may prescribe that the local government where the  
 4956 applicant for such license desires to conduct cardroom gaming  
 4957 has voted to approve such activity by a majority vote of the  
 4958 governing body of the municipality or the governing body of the  
 4959 county if the facility is not located in a municipality.



4960 (17) CHANGE OF LOCATION; REFERENDUM.—

4961 (a) Notwithstanding any provisions of this section, no  
 4962 cardroom gaming license issued under this section shall be  
 4963 transferred, or reissued when such reissuance is in the nature  
 4964 of a transfer, so as to permit or authorize a licensee to change  
 4965 the location of the cardroom. ~~except upon proof in such form as~~  
 4966 ~~the division may prescribe that a referendum election has been~~  
 4967 ~~held:~~

4968 1. ~~If the proposed new location is within the same county~~  
 4969 ~~as the already licensed location, in the county where the~~  
 4970 ~~licensee desires to conduct cardroom gaming and that a majority~~  
 4971 ~~of the electors voting on the question in such election voted in~~  
 4972 ~~favor of the transfer of such license. However, the division~~  
 4973 ~~shall transfer, without requirement of a referendum election,~~  
 4974 ~~the cardroom license of any permit holder that relocated its~~  
 4975 ~~permit pursuant to s. 550.0555.~~

4976 2. ~~If the proposed new location is not within the same~~  
 4977 ~~county as the already licensed location, in the county where the~~  
 4978 ~~licensee desires to conduct cardroom gaming and that a majority~~  
 4979 ~~of the electors voting on that question in each such election~~  
 4980 ~~voted in favor of the transfer of such license.~~

4981 ~~(b) The expense of each referendum held under the~~  
 4982 ~~provisions of this subsection shall be borne by the licensee~~  
 4983 ~~requesting the transfer.~~

4984 Section 69. Effective July 1, 2015, part IV of chapter  
 4985 551, Florida Statutes, consisting of ss. 551.401-551.425,

4986 Florida Statutes, is created and entitled "FLORIDA GAMING  
 4987 CONTROL."

4988 Section 70. Effective July 1, 2015, section 551.401,  
 4989 Florida Statutes, is created to read:

4990 551.401 Definitions.—As used in this chapter, the term:

4991 (1) "Chair" means the chair of the Gaming Control  
 4992 Commission.

4993 (2) "Commission" means the Gaming Control Commission.

4994 (3) "Executive director" means the executive director of  
 4995 the department.

4996 (4) "Nominating committee" means the Joint Legislative  
 4997 Gaming Control Nominating Committee.

4998 Section 71. Effective July 1, 2015, section 551.402,  
 4999 Florida Statutes, is created to read:

5000 551.402 Gaming Control Commission.—

5001 (1) CREATION.—The Gaming Control Commission is created  
 5002 within the Department of Gaming Control. The commission's  
 5003 headquarters shall be located in Tallahassee.

5004 (2) MEMBERS.—The Governor shall appoint, subject to  
 5005 confirmation by the Senate, each member of the commission from a  
 5006 list of nominees submitted to the Governor by the nominating  
 5007 committee pursuant to s. 11.93. The commission shall be composed  
 5008 of five members who are residents of the state and who shall  
 5009 serve on the commission on a part-time basis.

5010 (a) One member shall be an attorney.

5011 (b) One member shall be a certified public accountant.

5012 (c) Three members shall have experience in economics,  
5013 economic development, public health, technology, tourism, or  
5014 another field substantially related to the duties and functions  
5015 of the commission.

5016 (3) TERMS.—Each commission member shall be appointed to a  
5017 4-year term except that, initially, to achieve staggered terms,  
5018 two members shall each be appointed to a term ending December  
5019 31, 2018, and three members shall each be appointed to a term  
5020 ending December 31, 2016. Before expiration of the term of a  
5021 member, the Governor shall appoint a successor, subject to  
5022 confirmation by the Senate, from a list of nominees submitted to  
5023 the Governor by the nominating committee pursuant to s. 11.93 as  
5024 provided in subsection (2). The Governor may remove a member for  
5025 cause, including circumstances in which the member commits gross  
5026 misconduct or malfeasance in office, substantially neglects or  
5027 is unable to discharge his or her duties as a member, or is  
5028 convicted of or found guilty of or pleading nolo contendere to,  
5029 regardless of adjudication, in any jurisdiction, a felony or  
5030 misdemeanor that directly relates to related to gambling,  
5031 dishonesty, theft, or fraud. The Governor may remove a member  
5032 without cause subject to approval by a majority of the  
5033 nominating committee. Upon the resignation or removal from  
5034 office of a member, the Governor shall appoint a successor  
5035 pursuant to subsection (2) who, subject to confirmation by the  
5036 Senate, shall serve the remainder of the unfinished term. A  
5037 member may not serve more than two full 4-year terms, exclusive

5038 of service as an initial 2-year appointee or service during an  
5039 unexpired portion of a term due to a vacancy.

5040 (4) CHAIR AND VICE CHAIR.—

5041 (a) The chair and vice chair of the commission shall be  
5042 elected by the commission members during the first meeting of  
5043 the commission and during the first meeting on or after January  
5044 1 of each year. The chair shall set the agenda for each meeting  
5045 and approve subpoenas. The chair may approve all notices and  
5046 reports as required by this part. The chair shall preserve order  
5047 and decorum and shall have general control of the commission  
5048 meetings. The chair shall decide all questions of order. The  
5049 chair may designate a member to perform the duties of the chair  
5050 for a meeting if such substitution does not extend beyond that  
5051 meeting.

5052 (b) If the chair is absent, the vice chair shall assume  
5053 the duties of the chair during the chair's absence. On the  
5054 death, incapacitation, or resignation of the chair, the vice  
5055 chair shall perform the duties of the office until a successor  
5056 is elected at the next meeting of the commission.

5057 (c) The administrative responsibilities of the chair are  
5058 to plan, organize, and control administrative support services  
5059 for the commission, with the assistance of the executive  
5060 director.

5061 (5) MEETINGS.—Three members of the commission constitute a  
5062 quorum. Meetings of the commission shall be held in Tallahassee  
5063 unless the chair determines that special circumstances warrant

5064 meeting at another location.

5065 (6) LOBBYING.—A commission member may not lobby the  
5066 Governor or any agency of the state, members or employees of the  
5067 Legislature, or any county or municipal government or  
5068 governmental agency except to represent the commission and  
5069 department in his or her official capacity as a member.

5070 (7) AGENCY HEAD.—The commission shall serve as the agency  
5071 head of the department for purposes of chapter 120.

5072 (8) EXECUTIVE DIRECTOR.—The commission shall appoint an  
5073 executive director of the department, who shall:

5074 (a) Serve at the pleasure of the commission.

5075 (b) Subject to appropriation, receive a salary as may be  
5076 determined by the commission.

5077 (c) Have skills and experience in management and be  
5078 responsible for administering and enforcing the provisions of  
5079 law relative to the department, the commission, and each unit  
5080 thereof.

5081 (d) Maintain oversight of operations of the department.

5082 (e) Employ such personnel, consultants, agents, and  
5083 advisors, including legal counsel, as necessary, subject to  
5084 commission approval and appropriation.

5085 (f) Attend meetings of the commission unless excused by  
5086 the chair.

5087 (9) FINANCIAL CONTROL.—The chief financial and accounting  
5088 officer shall be in charge of department funds, books of  
5089 account, and accounting records. Funds may not be transferred by

5090 the department without the approval of the commission and the  
5091 signatures of the executive director and the chief financial and  
5092 accounting officer.

5093 (10) INSPECTOR GENERAL.—The commission shall appoint an  
5094 inspector general pursuant to s. 20.055.

5095 Section 72. Effective July 1, 2015, section 551.403,  
5096 Florida Statutes, is created to read:

5097 551.403 Commission powers and duties.—

5098 (1) The commission shall:

5099 (a) Keep accurate and complete records of its proceedings  
5100 and certify records as may be appropriate.

5101 (b) Adopt rules providing for the practices and procedures  
5102 of the commission within 180 days after the first meeting of the  
5103 commission.

5104 (c) Review all rules for approval before adoption.

5105 (d) Review all actions taken against a permit or license  
5106 issued by the commission with the exception of occupational  
5107 licenses issued by the department under part V.

5108 (2) The commission may:

5109 (a) Investigate applicants for a license or permit,  
5110 determine the applicants' eligibility, and approve or deny  
5111 applications as provided for in this chapter.

5112 (b) Issue subpoenas for the attendance of witnesses and  
5113 subpoenas duces tecum for the production of books, records, and  
5114 other pertinent documents as provided by law, and to administer  
5115 oaths and affirmations to the witnesses, if, in the judgment of

5116 the commission, it is necessary to enforce this chapter or  
5117 department rules. If a person fails to comply with a subpoena,  
5118 the commission may petition the circuit court of the county in  
5119 which the person subpoenaed resides or has his or her principal  
5120 place of business for an order requiring the subpoenaed person  
5121 to appear and testify and to produce books, records, and  
5122 documents as specified in the subpoena. The court may grant  
5123 legal, equitable, or injunctive relief, as the court deems  
5124 appropriate, until the person subpoenaed has fully complied with  
5125 the subpoena and the commission has completed the audit,  
5126 examination, or investigation. The commission is entitled to the  
5127 summary procedure provided in s. 51.011, and the court shall  
5128 advance the cause on its calendar. Costs incurred by the  
5129 commission to obtain an order granting, in whole or in part,  
5130 such petition for enforcement of a subpoena shall be charged  
5131 against the subpoenaed person.

5132 (c) Require or allow a person to file a statement in  
5133 writing, under oath or otherwise as the commission or its  
5134 designee requires, as to the facts and circumstances concerning  
5135 the matter to be audited, examined, or investigated.

5136 (d) Apply for injunctive or declaratory relief in a court  
5137 of competent jurisdiction to enforce chapters 550 and 551 and  
5138 department rules.

5139 (e) Establish field offices of the department, as deemed  
5140 necessary by the commission.

5141 (f) Delegate any of its functions, duties, and powers to

5142 the department, as deemed necessary by the commission.

5143 (g) Take any other action as may be reasonable or  
5144 appropriate to enforce this chapter or department rule.

5145 Section 73. Effective July 1, 2015, section 551.404,  
5146 Florida Statutes, is created to read:

5147 551.404 Code of ethics.—

5148 (1) Members of the commission and employees of the  
5149 department are subject to the code of ethics for public officers  
5150 and employees as set forth in part III of chapter 112 and to the  
5151 requirements of the public records law and public meetings law  
5152 in chapters 119 and 286, respectively.

5153 (2) A commission member or an employee of the department  
5154 or a relative living in the same household as such member or  
5155 employee may not hold a direct or indirect interest in, be  
5156 employed by, or enter into a contract for services with an  
5157 applicant or person licensed by the commission or department  
5158 during the person's membership on the commission or employment  
5159 and for a period of 2 years after the date of termination of the  
5160 person's membership on the commission or employment.

5161 (3) Employees of the department must obtain prior approval  
5162 from the executive director before undertaking any outside  
5163 employment or other work activity. The executive director may  
5164 not approve outside employment requests if the proposed  
5165 employment involves working for a licensee or could otherwise  
5166 create a conflict of interest with the employee's  
5167 responsibilities.



5168       (4) A member of the commission or an employee of the  
5169 department or a relative living in the same household as such  
5170 member or employee may not place a wager in any facility  
5171 licensed under this chapter or any facility in the state  
5172 operated by an Indian tribe.

5173       (5) (a) The department may not hire a prospective employee  
5174 if the prospective employee has been convicted of a felony;  
5175 convicted of a misdemeanor within 10 years of the date of his or  
5176 her application which the commission determines bears a close  
5177 relationship to the duties and responsibilities of the position  
5178 for which employment is sought; or dismissed from prior  
5179 employment for gross misconduct or incompetence or if he or she  
5180 intentionally made a false statement concerning a material fact  
5181 in connection with his or her application to the department. If  
5182 an employee of the department is charged with a felony while  
5183 employed by the department, the department shall suspend the  
5184 employee, with or without pay, and terminate employment with the  
5185 department upon conviction. If an employee of the department is  
5186 charged with a misdemeanor while employed by the department, the  
5187 department shall suspend the employee, with or without pay, and  
5188 may terminate employment with the department upon conviction if  
5189 the commission determines that the offense for which he or she  
5190 has been convicted bears a close relationship to the duties and  
5191 responsibilities of the position held with the department.

5192       (b) A member of the commission or an employee of the  
5193 department must immediately provide detailed written notice of

5194 the circumstances to the commission if the member or employee is  
 5195 indicted, charged with, convicted of, pleads guilty or nolo  
 5196 contendere to, or forfeits bail for:

5197 1. A misdemeanor involving gambling, dishonesty, theft, or  
 5198 fraud;

5199 2. A violation of any law in any state, or a law of the  
 5200 United States or any other jurisdiction, involving gambling,  
 5201 dishonesty, theft, or fraud which substantially corresponds to a  
 5202 misdemeanor in this state; or

5203 3. A felony under the laws of this or any other state, the  
 5204 United States, or any other jurisdiction.

5205 Section 74. Effective July 1, 2015, section 551.405,  
 5206 Florida Statutes, is created to read:

5207 551.405 Ex parte communication.-

5208 (1) As used in this section, the term "ex parte  
 5209 communication" means any communication that:

5210 (a) If it is a written or printed communication or a  
 5211 communication in electronic form, is not served on all parties  
 5212 to a proceeding; or

5213 (b) If it is an oral communication, is made without  
 5214 adequate notice to the parties and without an opportunity for  
 5215 the parties to be present and heard.

5216 (2) Each commissioner shall accord to every person who is  
 5217 legally interested in a proceeding, or the person's lawyer, full  
 5218 right to be heard according to law, and, except as authorized by  
 5219 law, shall not initiate, solicit, or consider ex parte

5220 communications concerning a pending proposed agency action  
5221 proceeding, pending application, license, or enforcement action,  
5222 or a proceeding under s. 120.565, s. 120.569, or s. 120.57. An  
5223 individual may not discuss ex parte with a commissioner the  
5224 merits of any issue that he or she reasonably foresees will be  
5225 filed with the commission. The provisions of this subsection  
5226 shall not apply to department staff.

5227 (3) If a commission member knowingly receives an ex parte  
5228 communication prohibited by this section, he or she must place  
5229 on the record of the proceeding copies of all written  
5230 communication received, copies of all written responses to the  
5231 communication, and a memorandum stating the substance of all  
5232 oral communication received and all oral responses made, and  
5233 shall give written notice to all parties to the communication  
5234 that such matters have been placed on the record. Any party to  
5235 the proceeding who desires to respond to the communication may  
5236 do so. The response must be received by the commission within 10  
5237 days after receiving notice that the ex parte communication has  
5238 been placed on the record. If a commission member deems it  
5239 necessary to eliminate the effect of an ex parte communication  
5240 received by him or her, the member may withdraw from the  
5241 proceeding potentially impacted by the ex parte communication.

5242 (4) An individual who makes an ex parte communication  
5243 prohibited by this section shall submit to the commission a  
5244 written statement describing the nature of the communication,  
5245 including the name of the person making the communication, the

5246 name of each commission member receiving the communication,  
5247 copies of all written communication, all written responses to  
5248 such communication, and a memorandum stating the substance of  
5249 all oral communication received and all oral responses made. The  
5250 commission shall place on the record of a proceeding all such  
5251 communication.

5252 (5) A commission member who knowingly fails to place any  
5253 ex parte communication on the record within 15 days after the  
5254 date of the communication in violation of this section is  
5255 subject to removal and may be assessed a civil penalty not to  
5256 exceed \$5,000. A person who knowingly fails to comply with  
5257 subsection (3) may be assessed a civil penalty not to exceed  
5258 \$5,000.

5259 (6) The Commission on Ethics shall receive and investigate  
5260 sworn complaints of violations of this section pursuant to ss.  
5261 112.321-112.3241.

5262 (7) If the Commission on Ethics finds that a commission  
5263 member has violated this section, it shall provide the Governor  
5264 and the nominating committee with a report of its findings and  
5265 recommendations. The Governor may enforce the findings and  
5266 recommendations of the Commission on Ethics pursuant to part III  
5267 of chapter 112.

5268 (8) If a commission member fails or refuses to pay the  
5269 Commission on Ethics any civil penalties assessed pursuant to  
5270 this section, the Commission on Ethics may bring an action in  
5271 any circuit court to enforce such penalty.

5272       (9) If, during the course of an investigation by the  
5273 Commission on Ethics into an alleged violation of this section,  
5274 allegations are made as to the identity of the person who  
5275 participated in the ex parte communication, that person must be  
5276 given notice and an opportunity to participate in the  
5277 investigation and relevant proceedings to present a defense. If  
5278 the Commission on Ethics determines that the person participated  
5279 in the ex parte communication, the person may not appear before  
5280 the commission or otherwise represent anyone before the  
5281 commission for 2 years.

5282       Section 75. Effective July 1, 2015, section 551.406,  
5283 Florida Statutes, is created to read:

5284       551.406 Penalties for misconduct by a member or employee.—

5285       (1) A violation of this chapter by a commission member may  
5286 constitute cause for removal by the Governor or other  
5287 disciplinary action as determined by the commission.

5288       (2) A violation of this chapter by an employee of the  
5289 department may constitute cause for termination of employment as  
5290 determined by the executive director.

5291       Section 76. Reorganization implementation process.—In  
5292 order to best achieve the legislative purpose of this act:

5293       (1) The Governor shall appoint the members of the Gaming  
5294 Control Commission in accordance with s. 551.402, Florida  
5295 Statutes.

5296       (2) Effective July 1, 2015, the Gaming Control Commission  
5297 shall appoint an executive director of the Department of Gaming

5298 Control. If the commission does not appoint an executive  
5299 director by August 1, 2015, the Governor shall appoint an  
5300 interim executive director. The executive director shall serve  
5301 as secretary to the commission and as the commission's primary  
5302 liaison with all entities involved in the reorganization of  
5303 gaming. The executive director shall be responsible directly to  
5304 the commission and shall serve as staff to the commission on all  
5305 action items relating to the reorganization. During the  
5306 reorganization implementation period, the executive director  
5307 shall:

5308 (a) Be responsible for proposing actions regarding all  
5309 gaming reorganization implementation issues.

5310 (b) Be responsible for integration of gaming oversight in  
5311 the Department of Gaming Control.

5312 (3) The Gaming Control Commission shall establish a  
5313 detailed procedure for the implementation of this act.

5314 (4) Effective July 1, 2015, the Department of Business and  
5315 Professional Regulation shall work with the Gaming Control  
5316 Commission and its executive director to achieve full  
5317 implementation of this act.

5318 Section 77. (1) Notwithstanding any other provision of  
5319 law, the Division of Pari-mutuel Wagering of the Department of  
5320 Business and Professional Regulation and the Department of  
5321 Gaming Control shall not authorize the expansion of gambling.  
5322 For purposes of this section, the term "expansion of gambling"  
5323 means the introduction of gambling at any facility or location

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5324 other than those facilities and locations:

5325 (a) Lawfully conducting gambling as of March 15, 2015; or

5326 (b) Expressly authorized to conduct gambling by this act.

5327

5328 The term "gambling" means any of the types of games that are  
5329 within the definition of class III gaming in the federal Indian  
5330 Gaming Regulatory Act, 25 U.S.C. ss. 2701 et seq., and in 25  
5331 C.F.R. s. 502.4, as of the effective date of this amendment. The  
5332 term "gambling" includes, but is not limited to, banking games  
5333 such as baccarat, chemin de fer, blackjack (or twenty-one), and  
5334 pai gow; casino games such as roulette, craps, and keno; slot  
5335 machines as defined in 15 U.S.C. s. 1171(a)(1); electronic or  
5336 electromechanical facsimiles of any game of chance; sports  
5337 betting and pari-mutuel wagering, including, but not limited to,  
5338 wagering on horse racing, dog racing, or jai alai; and lotteries  
5339 (other than state-operated lotteries). The term "gambling" also  
5340 includes the use of any electronic gambling device, Internet  
5341 sweepstakes device, or video lottery terminal (other than a  
5342 state-operated video lottery terminal), regardless of how those  
5343 devices are defined under the federal Indian Gaming Regulatory  
5344 Act. The term "expansion of gambling" also includes the  
5345 introduction of additional types or categories of gambling at  
5346 any such facility or location except as expressly authorized to  
5347 conduct gambling by this act.

5348 (2) This section expires July 1, 2017.

5349 Section 78. Paragraph (a) of subsection (2) of section

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5350 561.20, Florida Statutes, is amended to read:

5351 561.20 Limitation upon number of licenses issued.—

5352 (2) (a) No such limitation of the number of licenses as  
5353 herein provided shall henceforth prohibit the issuance of a  
5354 special license to:

5355 1. Any bona fide hotel, motel, or motor court of not fewer  
5356 than 80 guest rooms in any county having a population of less  
5357 than 50,000 residents, and of not fewer than 100 guest rooms in  
5358 any county having a population of 50,000 residents or greater;  
5359 or any bona fide hotel or motel located in a historic structure,  
5360 as defined in s. 561.01(21), with fewer than 100 guest rooms  
5361 which derives at least 51 percent of its gross revenue from the  
5362 rental of hotel or motel rooms, which is licensed as a public  
5363 lodging establishment by the Division of Hotels and Restaurants;  
5364 provided, however, that a bona fide hotel or motel with no fewer  
5365 than 10 and no more than 25 guest rooms which is a historic  
5366 structure, as defined in s. 561.01(21), in a municipality that  
5367 on the effective date of this act has a population, according to  
5368 the University of Florida's Bureau of Economic and Business  
5369 Research Estimates of Population for 1998, of no fewer than  
5370 25,000 and no more than 35,000 residents and that is within a  
5371 constitutionally chartered county may be issued a special  
5372 license. This special license shall allow the sale and  
5373 consumption of alcoholic beverages only on the licensed premises  
5374 of the hotel or motel. In addition, the hotel or motel must  
5375 derive at least 60 percent of its gross revenue from the rental



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5376 of hotel or motel rooms and the sale of food and nonalcoholic  
5377 beverages; provided that the provisions of this subparagraph  
5378 shall supersede local laws requiring a greater number of hotel  
5379 rooms;

5380 2. Any condominium accommodation of which no fewer than  
5381 100 condominium units are wholly rentable to transients and  
5382 which is licensed under the provisions of chapter 509, except  
5383 that the license shall be issued only to the person or  
5384 corporation which operates the hotel or motel operation and not  
5385 to the association of condominium owners;

5386 3. Any condominium accommodation of which no fewer than 50  
5387 condominium units are wholly rentable to transients, which is  
5388 licensed under the provisions of chapter 509, and which is  
5389 located in any county having home rule under s. 10 or s. 11,  
5390 Art. VIII of the State Constitution of 1885, as amended, and  
5391 incorporated by reference in s. 6(e), Art. VIII of the State  
5392 Constitution, except that the license shall be issued only to  
5393 the person or corporation which operates the hotel or motel  
5394 operation and not to the association of condominium owners;

5395 4. Any restaurant having 2,500 square feet of service area  
5396 and equipped to serve 150 persons full course meals at tables at  
5397 one time, and deriving at least 51 percent of its gross revenue  
5398 from the sale of food and nonalcoholic beverages; however, no  
5399 restaurant granted a special license on or after January 1,  
5400 1958, pursuant to general or special law shall operate as a  
5401 package store, nor shall intoxicating beverages be sold under

5402 such license after the hours of serving food have elapsed; or  
5403 5. Any caterer, deriving at least 51 percent of its gross  
5404 revenue from the sale of food and nonalcoholic beverages,  
5405 licensed by the Division of Hotels and Restaurants under chapter  
5406 509. Notwithstanding any other provision of law to the contrary,  
5407 a licensee under this subparagraph shall sell or serve alcoholic  
5408 beverages only for consumption on the premises of a catered  
5409 event at which the licensee is also providing prepared food, and  
5410 shall prominently display its license at any catered event at  
5411 which the caterer is selling or serving alcoholic beverages. A  
5412 licensee under this subparagraph shall purchase all alcoholic  
5413 beverages it sells or serves at a catered event from a vendor  
5414 licensed under s. 563.02(1), s. 564.02(1), or licensed under s.  
5415 565.02(1) subject to the limitation imposed in subsection (1),  
5416 as appropriate. A licensee under this subparagraph may not store  
5417 any alcoholic beverages to be sold or served at a catered event.  
5418 Any alcoholic beverages purchased by a licensee under this  
5419 subparagraph for a catered event that are not used at that event  
5420 must remain with the customer; provided that if the vendor  
5421 accepts unopened alcoholic beverages, the licensee may return  
5422 such alcoholic beverages to the vendor for a credit or  
5423 reimbursement. Regardless of the county or counties in which the  
5424 licensee operates, a licensee under this subparagraph shall pay  
5425 the annual state license tax set forth in s. 565.02(1)(b). A  
5426 licensee under this subparagraph must maintain for a period of 3  
5427 years all records required by the department by rule to

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5428 demonstrate compliance with the requirements of this  
5429 subparagraph, including licensed vendor receipts for the  
5430 purchase of alcoholic beverages and records identifying each  
5431 customer and the location and date of each catered event.  
5432 Notwithstanding any provision of law to the contrary, any vendor  
5433 licensed under s. 565.02(1) subject to the limitation imposed in  
5434 subsection (1), may, without any additional licensure under this  
5435 subparagraph, serve or sell alcoholic beverages for consumption  
5436 on the premises of a catered event at which prepared food is  
5437 provided by a caterer licensed under chapter 509. If a licensee  
5438 under this subparagraph also possesses any other license under  
5439 the Beverage Law, the license issued under this subparagraph  
5440 shall not authorize the holder to conduct activities on the  
5441 premises to which the other license or licenses apply that would  
5442 otherwise be prohibited by the terms of that license or the  
5443 Beverage Law. Nothing in this section shall permit the licensee  
5444 to conduct activities that are otherwise prohibited by the  
5445 Beverage Law or local law. The Division of Alcoholic Beverages  
5446 and Tobacco is hereby authorized to adopt rules to administer  
5447 the license created in this subparagraph, to include rules  
5448 governing licensure, recordkeeping, and enforcement. The first  
5449 \$300,000 in fees collected by the division each fiscal year  
5450 pursuant to this subparagraph shall be deposited in the  
5451 Department of Children and Families' Operations and Maintenance  
5452 Trust Fund to be used only for alcohol and drug abuse education,  
5453 treatment, and prevention programs. The remainder of the fees

5454 collected shall be deposited into the Hotel and Restaurant Trust  
5455 Fund created pursuant to s. 509.072.

5456 6. Any destination resort licensed by the Department of  
5457 Gaming Control under chapter 551. Notwithstanding any other  
5458 provision of law, a licensee under this subparagraph may sell or  
5459 serve alcoholic beverages only for consumption on the premises.  
5460 Regardless of the county or counties in which the licensee  
5461 operates, a licensee under this subparagraph shall pay an annual  
5462 state license tax of \$250,000, the proceeds of which shall be  
5463 deposited into the Destination Resort Trust Fund of the  
5464 Department of Gaming Control. This subparagraph expressly  
5465 preempts the regulation of alcoholic beverages at destination  
5466 resorts licensed by the Department of Gaming Control to the  
5467 state and supersedes any municipal or county ordinance on the  
5468 subject. Notwithstanding any other provision of law or local law  
5469 or ordinance, a licensee under this subparagraph may serve  
5470 alcoholic beverages 24 hours per day, every day of the year. The  
5471 entire area within the destination resort shall be considered  
5472 the licensed premises for purposes of this license. This  
5473 subparagraph does not permit the licensee to conduct activities  
5474 that are otherwise prohibited by the Beverage Law. The Division  
5475 of Alcoholic Beverages and Tobacco is hereby authorized to adopt  
5476 rules to administer the license created in this subparagraph, to  
5477 include rules governing licensure, recordkeeping, and  
5478 enforcement. With respect to the license created in this  
5479 subparagraph, the Department of Gaming Control may assist the

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5480 Division of Alcoholic Beverages and Tobacco with the enforcement  
5481 of the Beverage Law and the rules adopted to administer such  
5482 license.

5483

5484 However, any license heretofore issued to any such hotel, motel,  
5485 motor court, or restaurant or hereafter issued to any such  
5486 hotel, motel, or motor court, including a condominium  
5487 accommodation, under the general law shall not be moved to a new  
5488 location, such license being valid only on the premises of such  
5489 hotel, motel, motor court, or restaurant. Licenses issued to  
5490 hotels, motels, motor courts, or restaurants under the general  
5491 law and held by such hotels, motels, motor courts, or  
5492 restaurants on May 24, 1947, shall be counted in the quota  
5493 limitation contained in subsection (1). Any license issued for  
5494 any hotel, motel, or motor court under the provisions of this  
5495 law shall be issued only to the owner of the hotel, motel, or  
5496 motor court or, in the event the hotel, motel, or motor court is  
5497 leased, to the lessee of the hotel, motel, or motor court; and  
5498 the license shall remain in the name of the owner or lessee so  
5499 long as the license is in existence. Any special license now in  
5500 existence heretofore issued under the provisions of this law  
5501 cannot be renewed except in the name of the owner of the hotel,  
5502 motel, motor court, or restaurant or, in the event the hotel,  
5503 motel, motor court, or restaurant is leased, in the name of the  
5504 lessee of the hotel, motel, motor court, or restaurant in which  
5505 the license is located and must remain in the name of the owner

5506 or lessee so long as the license is in existence. Any license  
 5507 issued under this section shall be marked "Special," and nothing  
 5508 herein provided shall limit, restrict, or prevent the issuance  
 5509 of a special license for any restaurant or motel which shall  
 5510 hereafter meet the requirements of the law existing immediately  
 5511 prior to the effective date of this act, if construction of such  
 5512 restaurant has commenced prior to the effective date of this act  
 5513 and is completed within 30 days thereafter, or if an application  
 5514 is on file for such special license at the time this act takes  
 5515 effect; and any such licenses issued under this proviso may be  
 5516 annually renewed as now provided by law. Nothing herein prevents  
 5517 an application for transfer of a license to a bona fide  
 5518 purchaser of any hotel, motel, motor court, or restaurant by the  
 5519 purchaser of such facility or the transfer of such license  
 5520 pursuant to law.

5521 Section 79. Section 849.15, Florida Statutes, is amended  
 5522 to read:

5523 849.15 Manufacture, sale, possession, etc., of slot  
 5524 machines or devices prohibited.—

5525 (1) It is unlawful:

5526 (a) To manufacture, own, store, keep, possess, sell, rent,  
 5527 lease, let on shares, lend or give away, transport, or expose  
 5528 for sale or lease, or to offer to sell, rent, lease, let on  
 5529 shares, lend or give away, or permit the operation of, or for  
 5530 any person to permit to be placed, maintained, or used or kept  
 5531 in any room, space, or building owned, leased or occupied by the

5532 person or under the person's management or control, any slot  
 5533 machine or device or any part thereof; or

5534 (b) To make or to permit to be made with any person any  
 5535 agreement with reference to any slot machine or device, pursuant  
 5536 to which the user thereof, as a result of any element of chance  
 5537 or other outcome unpredictable to him or her, may become  
 5538 entitled to receive any money, credit, allowance, or thing of  
 5539 value or additional chance or right to use such machine or  
 5540 device, or to receive any check, slug, token or memorandum  
 5541 entitling the holder to receive any money, credit, allowance or  
 5542 thing of value.

5543 (2) Pursuant to section 2 of that chapter of the Congress  
 5544 of the United States entitled "An act to prohibit transportation  
 5545 of gaming devices in interstate and foreign commerce," approved  
 5546 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also  
 5547 designated as 15 U.S.C. ss. 1171-1177, the State of Florida,  
 5548 acting by and through the duly elected and qualified members of  
 5549 its Legislature, does hereby in this section, and in accordance  
 5550 with and in compliance with the provisions of section 2 of such  
 5551 chapter of Congress, declare and proclaim that any county of the  
 5552 State of Florida within which slot machine gaming is authorized  
 5553 pursuant to chapter 551 is exempt from the provisions of section  
 5554 2 of that chapter of the Congress of the United States entitled  
 5555 "An act to prohibit transportation of gaming devices in  
 5556 interstate and foreign commerce," designated as 15 U.S.C. ss.  
 5557 1171-1177, approved January 2, 1951. All shipments of gaming

5558 devices, including slot machines, into any county of this state  
5559 within which slot machine gaming is authorized pursuant to  
5560 chapter 551 and the registering, recording, and labeling of  
5561 which have been duly performed by the manufacturer or  
5562 distributor thereof in accordance with sections 3 and 4 of that  
5563 chapter of the Congress of the United States entitled "An act to  
5564 prohibit transportation of gaming devices in interstate and  
5565 foreign commerce," approved January 2, 1951, being ch. 1194, 64  
5566 Stat. 1134, and also designated as 15 U.S.C. ss. 1171-1177,  
5567 shall be deemed legal shipments thereof into this state provided  
5568 the destination of such shipments is an eligible facility as  
5569 defined in s. 551.102 or the facility of a slot machine  
5570 manufacturer or slot machine distributor as provided in s.  
5571 551.109(2) (a), or the facility of a resort licensee or supplier  
5572 licensee under part II of chapter 551.

5573 (3) Subsection (1) does not apply to licensed historical  
5574 racing systems authorized under chapter 550, slot machine  
5575 licensees authorized under part I of chapter 551, or resort  
5576 licensees as authorized under part II of chapter 551 operated in  
5577 conformance with those provisions of law.

5578 Section 80. Section 849.161, Florida Statutes, is  
5579 repealed.

5580 Section 81. Section 849.231, Florida Statutes, is amended  
5581 to read:

5582 849.231 Gambling devices; manufacture, sale, purchase or  
5583 possession unlawful.—



5584 (1) Except in instances when the following described  
5585 implements or apparatus are being held or transported by  
5586 authorized persons for the purpose of destruction, as  
5587 hereinafter provided, and except in instances when the following  
5588 described instruments or apparatus are being held, sold,  
5589 transported, or manufactured by persons who have registered with  
5590 the United States Government pursuant to the provisions of Title  
5591 15 of the United States Code, ss. 1171 et seq., as amended, so  
5592 long as the described implements or apparatus are not displayed  
5593 to the general public, sold for use in Florida, or held or  
5594 manufactured in contravention of the requirements of 15 U.S.C.  
5595 ss. 1171 et seq., it shall be unlawful for any person to  
5596 manufacture, sell, transport, offer for sale, purchase, own, or  
5597 have in his or her possession any roulette wheel or table, faro  
5598 layout, crap table or layout, chemin de fer table or layout,  
5599 chuck-a-luck wheel, bird cage such as used for gambling, bolita  
5600 balls, chips with house markings, or any other device,  
5601 implement, apparatus, or paraphernalia ordinarily or commonly  
5602 used or designed to be used in the operation of gambling houses  
5603 or establishments, excepting ordinary dice and playing cards.

5604 (2) In addition to any other penalties provided for the  
5605 violation of this section, any occupational license held by a  
5606 person found guilty of violating this section shall be suspended  
5607 for a period not to exceed 5 years.

5608 (3) This section and s. 849.05 do not apply to a vessel of  
5609 foreign registry or a vessel operated under the authority of a

5610 country except the United States, while docked in this state or  
5611 transiting in the territorial waters of this state.

5612 (4) This section does not apply to resort licensees as  
5613 authorized under part II of chapter 551.

5614 Section 82. Effective October 1, 2015, section 550.0115,  
5615 Florida Statutes, is amended to read:

5616 550.0115 Permitholder license.—After a permit has been  
5617 issued by the department ~~division~~, and after the permit has been  
5618 approved by election, the department ~~division~~ shall issue to the  
5619 permitholder an annual license to conduct pari-mutuel operations  
5620 at the location specified in the permit pursuant to the  
5621 provisions of this chapter.

5622 Section 83. Effective October 1, 2015, section 550.0235,  
5623 Florida Statutes, is amended to read:

5624 550.0235 Limitation of civil liability.—No permittee  
5625 conducting a racing meet pursuant to the provisions of this  
5626 chapter; no department ~~division~~ director or employee of the  
5627 department ~~division~~; and no steward, judge, or other person  
5628 appointed to act pursuant to this chapter shall be held liable  
5629 to any person, partnership, association, corporation, or other  
5630 business entity for any cause whatsoever arising out of, or  
5631 from, the performance by such permittee, director, employee,  
5632 steward, judge, or other person of her or his duties and the  
5633 exercise of her or his discretion with respect to the  
5634 implementation and enforcement of the statutes and rules  
5635 governing the conduct of pari-mutuel wagering, so long as she or

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5636 he acted in good faith. This section shall not limit liability  
5637 in any situation in which the negligent maintenance of the  
5638 premises or the negligent conduct of a race contributed to an  
5639 accident; nor shall it limit any contractual liability.

5640 Section 84. Effective October 1, 2015, section 550.0251,  
5641 Florida Statutes, is amended to read:

5642 550.0251 The powers and duties of the Department of Gaming  
5643 Control ~~Division of Pari-mutuel Wagering of the Department of~~  
5644 ~~Business and Professional Regulation.~~—The department division  
5645 shall administer this chapter and regulate the pari-mutuel  
5646 industry under this chapter and the rules adopted pursuant  
5647 thereto, and:

5648 (1) The department division shall make an annual report to  
5649 the Governor showing its own actions, receipts derived under the  
5650 provisions of this chapter, the practical effects of the  
5651 application of this chapter, and any suggestions it may approve  
5652 for the more effectual accomplishments of the purposes of this  
5653 chapter.

5654 (2) The department division shall require an oath on  
5655 application documents as required by rule, which oath must state  
5656 that the information contained in the document is true and  
5657 complete.

5658 (3) The department division shall adopt reasonable rules  
5659 for the control, supervision, and direction of all applicants,  
5660 permittees, and licensees and for the holding, conducting, and  
5661 operating of all racetracks, race meets, and races held in this

5662 state. Such rules must be uniform in their application and  
5663 effect, and the duty of exercising this control and power is  
5664 made mandatory upon the department ~~division~~.

5665 (4) The department ~~division~~ may take testimony concerning  
5666 any matter within its jurisdiction and issue summons and  
5667 subpoenas for any witness and subpoenas duces tecum in  
5668 connection with any matter within the jurisdiction of the  
5669 department ~~division~~ under its seal and signed by the director.

5670 (5) The department ~~division~~ may adopt rules establishing  
5671 procedures for testing occupational licenseholders officiating  
5672 at or participating in any race or game at any pari-mutuel  
5673 facility under the jurisdiction of the department ~~division~~ for a  
5674 controlled substance or alcohol and may prescribe procedural  
5675 matters not in conflict with s. 120.80(4)(a).

5676 (6) In addition to the power to exclude certain persons  
5677 from any pari-mutuel facility in this state, the department  
5678 ~~division~~ may exclude any person from any and all pari-mutuel  
5679 facilities in this state for conduct that would constitute, if  
5680 the person were a licensee, a violation of this chapter or the  
5681 rules of the department ~~division~~. The department ~~division~~ may  
5682 exclude from any pari-mutuel facility within this state any  
5683 person who has been ejected from a pari-mutuel facility in this  
5684 state or who has been excluded from any pari-mutuel facility in  
5685 another state by the governmental department, agency,  
5686 commission, or authority exercising regulatory jurisdiction over  
5687 pari-mutuel facilities in such other state. The department

5688 ~~division~~ may authorize any person who has been ejected or  
5689 excluded from pari-mutuel facilities in this state or another  
5690 state to attend the pari-mutuel facilities in this state upon a  
5691 finding that the attendance of such person at pari-mutuel  
5692 facilities would not be adverse to the public interest or to the  
5693 integrity of the sport or industry; however, this subsection  
5694 shall not be construed to abrogate the common-law right of a  
5695 pari-mutuel permitholder to exclude absolutely a patron in this  
5696 state.

5697 (7) The department ~~division~~ may oversee the making of, and  
5698 distribution from, all pari-mutuel pools.

5699 (8) The department may collect taxes and require  
5700 compliance with reporting requirements for financial information  
5701 as authorized by this chapter. In addition, the secretary of the  
5702 department may require permitholders conducting pari-mutuel  
5703 operations within the state to remit taxes, including fees, by  
5704 electronic funds transfer if the taxes and fees amounted to  
5705 \$50,000 or more in the prior reporting year.

5706 (9) The department ~~division~~ may conduct investigations in  
5707 enforcing this chapter, except that all information obtained  
5708 pursuant to an investigation by the department ~~division~~ for an  
5709 alleged violation of this chapter or rules of the department  
5710 ~~division~~ is exempt from s. 119.07(1) and from s. 24(a), Art. I  
5711 of the State Constitution until an administrative complaint is  
5712 issued or the investigation is closed or ceases to be active.  
5713 This subsection does not prohibit the department ~~division~~ from

5714 providing such information to any law enforcement agency or to  
5715 any other regulatory agency. For the purposes of this  
5716 subsection, an investigation is considered to be active while it  
5717 is being conducted with reasonable dispatch and with a  
5718 reasonable, good faith belief that it could lead to an  
5719 administrative, civil, or criminal action by the department  
5720 ~~division~~ or another administrative or law enforcement agency.  
5721 Except for active criminal intelligence or criminal  
5722 investigative information, as defined in s. 119.011, and any  
5723 other information that, if disclosed, would jeopardize the  
5724 safety of an individual, all information, records, and  
5725 transcriptions become public when the investigation is closed or  
5726 ceases to be active.

5727 (10) The department ~~division~~ may impose an administrative  
5728 fine for a violation under this chapter of not more than \$1,000  
5729 for each count or separate offense, except as otherwise provided  
5730 in this chapter, and may suspend or revoke a permit, a pari-  
5731 mutuel license, or an occupational license for a violation under  
5732 this chapter. All fines imposed and collected under this  
5733 subsection must be deposited with the Chief Financial Officer to  
5734 the credit of the General Revenue Fund.

5735 (11) The department ~~division~~ shall supervise and regulate  
5736 the welfare of racing animals at pari-mutuel facilities.

5737 (12) The department ~~division~~ shall have full authority and  
5738 power to make, adopt, amend, or repeal rules relating to  
5739 cardroom operations, to enforce and to carry out the provisions

5740 of s. 849.086, and to regulate the authorized cardroom  
 5741 activities in the state.

5742 (13) The department ~~division~~ shall have the authority to  
 5743 suspend a permitholder's permit or license, if such permitholder  
 5744 is operating a cardroom facility and such permitholder's  
 5745 cardroom license has been suspended or revoked pursuant to s.  
 5746 849.086.

5747 Section 85. Effective October 1, 2015, subsections (1),  
 5748 (2), (4), (6), and (8) of section 550.0351, Florida Statutes,  
 5749 are amended to read:

5750 550.0351 Charity racing days.—

5751 (1) The department ~~division~~ shall, upon the request of a  
 5752 permitholder, authorize each horseracing permitholder, dogracing  
 5753 permitholder, and jai alai permitholder up to five charity or  
 5754 scholarship days in addition to the regular racing days  
 5755 authorized by law.

5756 (2) The proceeds of charity performances shall be paid to  
 5757 qualified beneficiaries selected by the permitholders from an  
 5758 authorized list of charities on file with the department  
 5759 ~~division~~. Eligible charities include any charity that provides  
 5760 evidence of compliance with the provisions of chapter 496 and  
 5761 evidence of possession of a valid exemption from federal  
 5762 taxation issued by the Internal Revenue Service. In addition,  
 5763 the authorized list must include the Racing Scholarship Trust  
 5764 Fund, the Historical Resources Operating Trust Fund, major state  
 5765 and private institutions of higher learning, and Florida

5766 community colleges.

5767 (4) The total of all profits derived from the conduct of a  
5768 charity day performance must include all revenues derived from  
5769 the conduct of that racing performance, including all state  
5770 taxes that would otherwise be due to the state, except that the  
5771 daily license fee as provided in s. 550.0951(1) and the breaks  
5772 for the promotional trust funds as provided in s. 550.2625(3),  
5773 (4), (5), (7), and (8) shall be paid to the department ~~division~~.  
5774 All other revenues from the charity racing performance,  
5775 including the commissions, breaks, and admissions and the  
5776 revenues from parking, programs, and concessions, shall be  
5777 included in the total of all profits.

5778 (6) (a) The department ~~division~~ shall authorize one  
5779 additional scholarship day for horseracing in addition to the  
5780 regular racing days authorized by law and any additional days  
5781 authorized by this section, to be conducted at all horse  
5782 racetracks located in Hillsborough County. The permitholder  
5783 shall conduct a full schedule of racing on the scholarship day.

5784 (b) The funds derived from the operation of the additional  
5785 scholarship day shall be allocated as provided in this section  
5786 and paid to Pasco-Hernando Community College.

5787 (c) When a charity or scholarship performance is conducted  
5788 as a matinee performance, the department ~~division~~ may authorize  
5789 the permitholder to conduct the evening performances of that  
5790 operation day as a regular performance in addition to the  
5791 regular operating days authorized by law.



5792 (8) In addition to the eligible charities that meet the  
 5793 criteria set forth in this section, a jai alai permitholder is  
 5794 authorized to conduct two additional charity performances each  
 5795 fiscal year for a fund to benefit retired jai alai players. This  
 5796 performance shall be known as the "Retired Jai Alai Players  
 5797 Charity Day." The administration of this fund shall be  
 5798 determined by rule by the department ~~division~~.

5799 Section 86. Effective October 1, 2015, section 550.054,  
 5800 Florida Statutes, as amended by this act, is amended to read:

5801 550.054 Application for permit to conduct pari-mutuel  
 5802 wagering.—

5803 (1) Any person who possesses the qualifications prescribed  
 5804 in this chapter may apply to the department ~~division~~ for a  
 5805 permit to conduct pari-mutuel operations under this chapter.  
 5806 Applications for a pari-mutuel permit are exempt from the 90-day  
 5807 licensing requirement of s. 120.60. Within 120 days after  
 5808 receipt of a complete application, the department ~~division~~ shall  
 5809 grant or deny the permit. A completed application that is not  
 5810 acted upon within 120 days after receipt is deemed approved, and  
 5811 the department ~~division~~ shall grant the permit.

5812 (2) Upon each application filed and approved, a permit  
 5813 shall be issued to the applicant setting forth the name of the  
 5814 permitholder, the location of the pari-mutuel facility, the type  
 5815 of pari-mutuel activity desired to be conducted, and a statement  
 5816 showing qualifications of the applicant to conduct pari-mutuel  
 5817 performances under this chapter; however, a permit is

5818 ineffectual to authorize any pari-mutuel performances until  
5819 approved by a majority of the electors participating in a  
5820 ratification election in the county in which the applicant  
5821 proposes to conduct pari-mutuel wagering activities. In  
5822 addition, an application may not be considered, nor may a permit  
5823 be issued by the department ~~division~~ or be voted upon in any  
5824 county, to conduct horseraces, harness horse races, or dograces  
5825 at a location within 100 miles of an existing pari-mutuel  
5826 facility, or for jai alai within 50 miles of an existing pari-  
5827 mutuel facility; this distance shall be measured on a straight  
5828 line from the nearest property line of one pari-mutuel facility  
5829 to the nearest property line of the other facility.

5830 (3) The department ~~division~~ shall require that each  
5831 applicant submit an application setting forth:

5832 (a) The full name of the applicant.

5833 (b) If a corporation, the name of the state in which  
5834 incorporated and the names and addresses of the officers,  
5835 directors, and shareholders holding 5 percent or more equity or,  
5836 if a business entity other than a corporation, the names and  
5837 addresses of the principals, partners, or shareholders holding 5  
5838 percent or more equity.

5839 (c) The names and addresses of the ultimate equitable  
5840 owners for a corporation or other business entity, if different  
5841 from those provided under paragraph (b), unless the securities  
5842 of the corporation or entity are registered pursuant to s. 12 of  
5843 the Securities Exchange Act of 1934, 15 U.S.C. ss. 78a-78kk; and

5844 if such corporation or entity files with the United States  
 5845 Securities and Exchange Commission the reports required by s. 13  
 5846 of that act or if the securities of the corporation or entity  
 5847 are regularly traded on an established securities market in the  
 5848 United States.

5849 (d) The exact location where the applicant will conduct  
 5850 pari-mutuel performances.

5851 (e) Whether the pari-mutuel facility is owned or leased  
 5852 and, if leased, the name and residence of the fee owner or, if a  
 5853 corporation, the names and addresses of the directors and  
 5854 stockholders thereof. However, this chapter does not prevent a  
 5855 person from applying to the department ~~division~~ for a permit to  
 5856 conduct pari-mutuel operations, regardless of whether the pari-  
 5857 mutuel facility has been constructed or not, and having an  
 5858 election held in any county at the same time that elections are  
 5859 held for the ratification of any permit in that county.

5860 (f) A statement of the assets and liabilities of the  
 5861 applicant.

5862 (g) The names and addresses of any mortgagee of any pari-  
 5863 mutuel facility and any financial agreement between the parties.  
 5864 The department ~~division~~ may require the names and addresses of  
 5865 the officers and directors of the mortgagee, and of those  
 5866 stockholders who hold more than 10 percent of the stock of the  
 5867 mortgagee.

5868 (h) A business plan for the first year of operation.

5869 (i) For each individual listed in the application as an

5870 owner, partner, officer, or director, a complete set of  
5871 fingerprints that has been taken by an authorized law  
5872 enforcement officer. These sets of fingerprints must be  
5873 submitted to the Federal Bureau of Investigation for processing.  
5874 Applicants who are foreign nationals shall submit such documents  
5875 as necessary to allow the department ~~division~~ to conduct  
5876 criminal history records checks in the applicant's home country.  
5877 The applicant must pay the cost of processing. The department  
5878 ~~division~~ may charge a \$2 handling fee for each set of  
5879 fingerprint records.

5880 (j) The type of pari-mutuel activity to be conducted and  
5881 the desired period of operation.

5882 (k) Other information the department ~~division~~ requires.

5883 (4) The department ~~division~~ shall require each applicant  
5884 to deposit with the board of county commissioners of the county  
5885 in which the election is to be held, a sufficient sum, in  
5886 currency or by check certified by a bank licensed to do business  
5887 in the state to pay the expenses of holding the election  
5888 provided in s. 550.0651.

5889 (5) Upon receiving an application and any amendments  
5890 properly made thereto, the department ~~division~~ shall further  
5891 investigate the matters contained in the application. If the  
5892 applicant meets all requirements, conditions, and qualifications  
5893 set forth in this chapter and the rules of the department  
5894 ~~division~~, the department ~~division~~ shall grant the permit.

5895 (6) After initial approval of the permit and the source of

5896 financing, the terms and parties of any subsequent refinancing  
5897 must be disclosed by the applicant or the permitholder to the  
5898 department ~~division~~.

5899 (7) If the department ~~division~~ refuses to grant the  
5900 permit, the money deposited with the board of county  
5901 commissioners for holding the election must be refunded to the  
5902 applicant. If the department ~~division~~ grants the permit applied  
5903 for, the board of county commissioners shall order an election  
5904 in the county to decide whether the permit will be approved, as  
5905 provided in s. 550.0651.

5906 (8) (a) The department ~~division~~ may charge the applicant  
5907 for reasonable, anticipated costs incurred by the department  
5908 ~~division~~ in determining the eligibility of any person or entity  
5909 specified in s. 550.1815(1) (a) to hold any pari-mutuel permit,  
5910 against such person or entity.

5911 (b) The department ~~division~~ may, by rule, determine the  
5912 manner of paying its anticipated costs associated with  
5913 determination of eligibility and the procedure for filing  
5914 applications for determination of eligibility.

5915 (c) The department ~~division~~ shall furnish to the applicant  
5916 an itemized statement of actual costs incurred during the  
5917 investigation to determine eligibility.

5918 (d) If unused funds remain at the conclusion of such  
5919 investigation, they must be returned to the applicant within 60  
5920 days after the determination of eligibility has been made.

5921 (e) If the actual costs of investigation exceed

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5922 anticipated costs, the department ~~division~~ shall assess the  
5923 applicant the amount necessary to recover all actual costs.

5924 (9) (a) After a permit has been granted by the department  
5925 ~~division~~ and has been ratified and approved by the majority of  
5926 the electors participating in the election in the county  
5927 designated in the permit, the department ~~division~~ shall grant to  
5928 the lawful permitholder, subject to the conditions of this  
5929 chapter, a license to conduct pari-mutuel operations under this  
5930 chapter, and, except as provided in s. 550.5251, the department  
5931 ~~division~~ shall fix annually the time, place, and number of days  
5932 during which pari-mutuel operations may be conducted by the  
5933 permitholder at the location fixed in the permit and ratified in  
5934 the election. After the first license has been issued to the  
5935 holder of a ratified permit for racing in any county, all  
5936 subsequent annual applications for a license by that  
5937 permitholder must be accompanied by proof, in such form as the  
5938 department ~~division~~ requires, that the ratified permitholder  
5939 still possesses all the qualifications prescribed by this  
5940 chapter and that the permit has not been recalled at a later  
5941 election held in the county.

5942 (b) The department ~~division~~ may revoke or suspend any  
5943 permit or license issued under this chapter upon the willful  
5944 violation by the permitholder or licensee of any provision of  
5945 this chapter or of any rule adopted under this chapter. In lieu  
5946 of suspending or revoking a permit or license, the department  
5947 ~~division~~ may impose a civil penalty against the permitholder or

5948 licensee for a violation of this chapter or any rule adopted by  
 5949 the department ~~division~~, except as provided for in paragraphs  
 5950 ~~subparagraphs~~ (c)-(h). The penalty so imposed may not exceed  
 5951 \$1,000 for each count or separate offense. All penalties imposed  
 5952 and collected must be deposited with the Chief Financial Officer  
 5953 to the credit of the General Revenue Fund.

5954 (c) The department ~~division~~ shall revoke the permit  
 5955 previously issued to any for-profit permit holder that has not  
 5956 obtained an operating license in accordance with s. 550.01215  
 5957 for more than 24 consecutive months since June 30, 2012. The  
 5958 department ~~division~~ shall revoke the permit upon adequate notice  
 5959 to the permit holder unless such failure was the direct result of  
 5960 fire, strike, war, or other disaster or event beyond the  
 5961 permit holder's control. Financial hardship to the permit holder  
 5962 is not, in and of itself, just cause for failure to operate.

5963 (e) The department ~~division~~ shall revoke the permit of any  
 5964 for-profit permit holder that does not pay tax on handle for more  
 5965 than 24 consecutive months unless such failure to pay tax on  
 5966 handle was the direct result of fire, strike, war, or other  
 5967 disaster or event beyond the permit holder's control. Financial  
 5968 hardship to the permit holder is not, in and of itself, just  
 5969 cause for failure to pay tax on handle.

5970 (f) Notwithstanding any other provision of law, the  
 5971 department ~~division~~ shall not approve or issue any new permit to  
 5972 conduct pari-mutuel wagering or convert any permit to conduct  
 5973 pari-mutuel wagering on or after July 1, 2015.

5974 (g) A permit revoked under this subsection is void and may  
5975 not be reissued.

5976 (h) A permit holder may apply to the department ~~division~~ to  
5977 place the permit into inactive status for a period of 12 months  
5978 pursuant to the rules adopted pursuant to this chapter. The  
5979 department ~~division~~, upon good cause shown by the permit holder,  
5980 may renew inactive status for up to 12 months. A permit may not  
5981 be in inactive status for a period of more than 24 consecutive  
5982 months. Holders of permits in inactive status are not eligible  
5983 for licensure for pari-mutuel wagering, slot machines, or  
5984 cardrooms.

5985 (10) If a permit holder has failed to complete construction  
5986 of at least 50 percent of the facilities necessary to conduct  
5987 pari-mutuel operations within 12 months after approval by the  
5988 voters of the permit, the department ~~division~~ shall revoke the  
5989 permit upon adequate notice to the permit holder. However, the  
5990 department ~~division~~, upon good cause shown by the permit holder,  
5991 may grant one extension of up to 12 months.

5992 (11)(a) A permit granted under this chapter may not be  
5993 transferred or assigned except upon written approval by the  
5994 department ~~division~~ pursuant to s. 550.1815, except that the  
5995 holder of any permit that has been converted to a jai alai  
5996 permit may lease or build anywhere within the county in which  
5997 its permit is located.

5998 (b) If a permit to conduct pari-mutuel wagering is held by  
5999 a corporation or business entity other than an individual, the



6000 transfer of 10 percent or more of the stock or other evidence of  
 6001 ownership or equity in the permitholder may not be made without  
 6002 the prior approval of the transferee by the department ~~division~~  
 6003 pursuant to s. 550.1815.

6004 (12) Changes in ownership or interest of a pari-mutuel  
 6005 permit of 5 percent or more of the stock or other evidence of  
 6006 ownership or equity in the permitholder shall be approved by the  
 6007 department ~~division~~ before ~~prior to~~ such change, unless the  
 6008 owner is an existing owner of that permit who was previously  
 6009 approved by the department ~~division~~. Changes in ownership or  
 6010 interest of a pari-mutuel permit of less than 5 percent shall be  
 6011 reported to the department ~~division~~ within 20 days of the  
 6012 change. The department ~~division~~ may then conduct an  
 6013 investigation to ensure that the permit is properly updated to  
 6014 show the change in ownership or interest.

6015 (13) Notwithstanding any provisions of this chapter, a ~~no~~  
 6016 pari-mutuel permit or license issued under this chapter may not  
 6017 ~~shall~~ be transferred, or reissued when such reissuance is in the  
 6018 nature of a transfer so as to permit or authorize a licensee to  
 6019 change the location of a pari-mutuel facility.

6020 (14) (a) Any holder of a permit to conduct jai alai may  
 6021 apply to the department ~~division~~ to convert such permit to a  
 6022 permit to conduct greyhound racing in lieu of jai alai if:

- 6023 1. Such permit is located in a county in which the
- 6024 department ~~division~~ has issued only two pari-mutuel permits
- 6025 pursuant to this section;

6026           2. Such permit was not previously converted from any other  
6027 class of permit; and

6028           3. The holder of the permit has not conducted jai alai  
6029 games during a period of 10 years immediately preceding his or  
6030 her application for conversion under this subsection.

6031           (b) The department ~~division~~, upon application from the  
6032 holder of a jai alai permit meeting all conditions of this  
6033 section, may convert the permit and issue to the permitholder a  
6034 permit to conduct greyhound racing, if such application was made  
6035 before February 28, 2015. A permitholder of a permit converted  
6036 under this section must apply for and conduct a full schedule of  
6037 live racing in the first fiscal year following the conversion.  
6038 The provisions of s. 550.6305(9)(d) and (f) ~~shall~~ apply to any  
6039 permit converted under this subsection and shall continue to  
6040 apply to any permit which was previously included under and  
6041 subject to such provisions before a conversion pursuant to this  
6042 section occurred.

6043           (15) Any application or request for relocation made  
6044 pursuant to any provision of this chapter after July 1, 2015,  
6045 shall be denied.

6046           Section 87. Effective October 1, 2015, subsections (1),  
6047 (3), and (5) of section 550.0651, Florida Statutes, are amended  
6048 to read:

6049           550.0651 Elections for ratification of permits.—

6050           (1) The holder of any permit may have submitted to the  
6051 electors of the county designated therein the question whether

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6052 or not such permit will be ratified or rejected. Such questions  
6053 shall be submitted to the electors for approval or rejection at  
6054 a special election to be called for that purpose only. The board  
6055 of county commissioners of the county designated, upon the  
6056 presentation to such board at a regular or special meeting of a  
6057 written application, accompanied by a certified copy of the  
6058 permit granted by the department ~~division~~, and asking for an  
6059 election in the county in which the application was made, shall  
6060 order a special election in the county for the particular  
6061 purpose of deciding whether such permit shall be approved and  
6062 license issued and race meetings permitted in such county by  
6063 such permittee and shall cause the clerk of such board to give  
6064 notice of the special election by publishing the same once each  
6065 week for 2 consecutive weeks in one or more newspapers of  
6066 general circulation in the county. Each permit covering each  
6067 track must be voted upon separately and in separate elections,  
6068 and an election may not be called more often than once every 2  
6069 years for the ratification of any permit covering the same  
6070 track.

6071 (3) When a permit has been granted by the department  
6072 ~~division~~ and no application to the board of county commissioners  
6073 has been made by the permittee within 6 months after the  
6074 granting of the permit, the permit becomes void. The department  
6075 ~~division~~ shall cancel the permit without notice to the  
6076 permitholder, and the board of county commissioners holding the  
6077 deposit for the election shall refund the deposit to the

6078 | permitholder upon being notified by the department ~~division~~ that  
 6079 | the permit has become void and has been canceled.

6080 |         (5) If at any such special election the majority of the  
 6081 | electors voting on the question of ratification or rejection of  
 6082 | any permit vote against such ratification, such permit is void.  
 6083 | If a majority of the electors voting on the question of  
 6084 | ratification or rejection of any permit vote for such  
 6085 | ratification, such permit becomes effectual and the holder  
 6086 | thereof may conduct racing upon complying with the other  
 6087 | provisions of this chapter. The board of county commissioners  
 6088 | shall immediately certify the results of the election to the  
 6089 | department ~~division~~.

6090 |         Section 88. Effective October 1, 2015, paragraphs (b)  
 6091 | through (e) of subsection (2) and paragraph (a) of subsection  
 6092 | (3) of section 550.09511, Florida Statutes, are amended to read:

6093 |         550.09511 Jai alai taxes; abandoned interest in a permit  
 6094 | for nonpayment of taxes.—

6095 |         (2) Notwithstanding the provisions of s. 550.0951(3)(b),  
 6096 | wagering on live jai alai performances shall be subject to the  
 6097 | following taxes:

6098 |         (b) At such time as the total of admissions tax, daily  
 6099 | license fee, and tax on handle for live jai alai performances  
 6100 | paid to the department ~~division~~ by a permitholder during the  
 6101 | current state fiscal year exceeds the total state tax revenues  
 6102 | from wagering on live jai alai performances paid or due by the  
 6103 | permitholder in fiscal year 1991-1992, the permitholder shall

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6104 pay tax on handle for live jai alai performances at a rate of  
6105 2.55 percent of the handle per performance for the remainder of  
6106 the current state fiscal year. For purposes of this section,  
6107 total state tax revenues on live jai alai wagering in fiscal  
6108 year 1991-1992 shall include any admissions tax, tax on handle,  
6109 surtaxes on handle, and daily license fees.

6110 (c) If no tax on handle for live jai alai performances  
6111 were paid to the department ~~division~~ by a jai alai permitholder  
6112 during the 1991-1992 state fiscal year, then at such time as the  
6113 total of admissions tax, daily license fee, and tax on handle  
6114 for live jai alai performances paid to the department ~~division~~  
6115 by a permitholder during the current state fiscal year exceeds  
6116 the total state tax revenues from wagering on live jai alai  
6117 performances paid or due by the permitholder in the last state  
6118 fiscal year in which the permitholder conducted a full schedule  
6119 of live games, the permitholder shall pay tax on handle for live  
6120 jai alai performances at a rate of 3.3 percent of the handle per  
6121 performance for the remainder of the current state fiscal year.  
6122 For purposes of this section, total state tax revenues on live  
6123 jai alai wagering shall include any admissions tax, tax on  
6124 handle, surtaxes on handle, and daily license fees. This  
6125 paragraph shall take effect July 1, 1993.

6126 (d) A permitholder who obtains a new permit issued by the  
6127 department ~~division~~ subsequent to the 1991-1992 state fiscal  
6128 year and a permitholder whose permit has been converted to a jai  
6129 alai permit under the provisions of this chapter, shall, at such

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6130 time as the total of admissions tax, daily license fee, and tax  
6131 on handle for live jai alai performances paid to the department  
6132 ~~division~~ by the permitholder during the current state fiscal  
6133 year exceeds the average total state tax revenues from wagering  
6134 on live jai alai performances for the first 3 consecutive jai  
6135 alai seasons paid to or due the department ~~division~~ by the  
6136 permitholder and during which the permitholder conducted a full  
6137 schedule of live games, pay tax on handle for live jai alai  
6138 performances at a rate of 3.3 percent of the handle per  
6139 performance for the remainder of the current state fiscal year.

6140 (e) The payment of taxes pursuant to paragraphs (b), (c),  
6141 and (d) shall be calculated and commence beginning the day in  
6142 which the permitholder is first entitled to the reduced rate  
6143 specified in this section and the report of taxes required by s.  
6144 550.0951(6) ~~550.0951(5)~~ is submitted to the department ~~division~~.

6145 (3)(a) Notwithstanding the provisions of subsection (2)  
6146 and s. 550.0951(3)(c)1., any jai alai permitholder which is  
6147 restricted under Florida law from operating live performances on  
6148 a year-round basis is entitled to conduct wagering on live  
6149 performances at a tax rate of 3.85 percent of live handle. Such  
6150 permitholder is also entitled to conduct intertrack wagering as  
6151 a host permitholder on live jai alai games at its fronton at a  
6152 tax rate of 3.3 percent of handle at such time as the total tax  
6153 on intertrack handle paid to the department ~~division~~ by the  
6154 permitholder during the current state fiscal year exceeds the  
6155 total tax on intertrack handle paid to the department ~~division~~

6156 by the permitholder during the 1992-1993 state fiscal year.

6157 Section 89. Effective October 1, 2015, subsection (1),  
 6158 paragraph (b) of subsection (2), and subsections (5), (6), (7),  
 6159 (8), and (10) of section 550.105, Florida Statutes, are amended  
 6160 to read:

6161 550.105 Occupational licenses of racetrack employees;  
 6162 fees; denial, suspension, and revocation of license; penalties  
 6163 and fines.—

6164 (1) Each person connected with a racetrack or jai alai  
 6165 fronton, as specified in paragraph (2) (a), shall purchase from  
 6166 the department ~~division~~ an occupational license. All moneys  
 6167 collected pursuant to this section each fiscal year shall be  
 6168 deposited into the Pari-mutuel Wagering Trust Fund. Pursuant to  
 6169 the rules adopted by the department ~~division~~, an occupational  
 6170 license may be valid for a period of up to 3 years for a fee  
 6171 that does not exceed the full occupational license fee for each  
 6172 of the years for which the license is purchased. The  
 6173 occupational license shall be valid during its specified term at  
 6174 any pari-mutuel facility.

6175 (2)

6176 (b) The department ~~division~~ shall adopt rules pertaining  
 6177 to pari-mutuel occupational licenses, licensing periods, and  
 6178 renewal cycles.

6179 (5) (a) The department ~~division~~ may:

6180 1. Deny a license to or revoke, suspend, or place  
 6181 conditions upon or restrictions on a license of any person who

6182 has been refused a license by any other state racing commission  
 6183 or racing authority;

6184 2. Deny, suspend, or place conditions on a license of any  
 6185 person who is under suspension or has unpaid fines in another  
 6186 jurisdiction;  
 6187 if the state racing commission or racing authority of such other  
 6188 state or jurisdiction extends to the department ~~division~~  
 6189 reciprocal courtesy to maintain the disciplinary control.

6190 (b) The department ~~division~~ may deny, suspend, revoke, or  
 6191 declare ineligible any occupational license if the applicant for  
 6192 or holder thereof has violated the provisions of this chapter or  
 6193 the rules of the department ~~division~~ governing the conduct of  
 6194 persons connected with racetracks and frontons. In addition, the  
 6195 department ~~division~~ may deny, suspend, revoke, or declare  
 6196 ineligible any occupational license if the applicant for such  
 6197 license has been convicted in this state, in any other state, or  
 6198 under the laws of the United States of a capital felony, a  
 6199 felony, or an offense in any other state which would be a felony  
 6200 under the laws of this state involving arson; trafficking in,  
 6201 conspiracy to traffic in, smuggling, importing, conspiracy to  
 6202 smuggle or import, or delivery, sale, or distribution of a  
 6203 controlled substance; or a crime involving a lack of good moral  
 6204 character, or has had a pari-mutuel license revoked by this  
 6205 state or any other jurisdiction for an offense related to pari-  
 6206 mutuel wagering.

6207 (c) The department ~~division~~ may deny, declare ineligible,



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6208 or revoke any occupational license if the applicant for such  
6209 license has been convicted of a felony or misdemeanor in this  
6210 state, in any other state, or under the laws of the United  
6211 States, if such felony or misdemeanor is related to gambling or  
6212 bookmaking, as contemplated in s. 849.25, or involves cruelty to  
6213 animals. If the applicant establishes that she or he is of good  
6214 moral character, that she or he has been rehabilitated, and that  
6215 the crime she or he was convicted of is not related to pari-  
6216 mutuel wagering and is not a capital offense, the restrictions  
6217 excluding offenders may be waived by the director of the  
6218 department ~~division~~.

6219 (d) For purposes of this subsection, the term "convicted"  
6220 means having been found guilty, with or without adjudication of  
6221 guilt, as a result of a jury verdict, nonjury trial, or entry of  
6222 a plea of guilty or nolo contendere. However, the term  
6223 "conviction" shall not be applied to a crime committed prior to  
6224 the effective date of this subsection in a manner that would  
6225 invalidate any occupational license issued before ~~prior to~~ the  
6226 effective date of this subsection or subsequent renewal for any  
6227 person holding such a license.

6228 (e) If an occupational license will expire by department  
6229 ~~division~~ rule during the period of a suspension the department  
6230 ~~division~~ intends to impose, or if a license would have expired  
6231 but for pending administrative charges and the occupational  
6232 licensee is found to be in violation of any of the charges, the  
6233 license may be revoked and a time period of license

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6234 | ineligibility may be declared. The department ~~division~~ may bring  
6235 | administrative charges against any person not holding a current  
6236 | license for violations of statutes or rules which occurred while  
6237 | such person held an occupational license, and the department  
6238 | ~~division~~ may declare such person ineligible to hold a license  
6239 | for a period of time. The department ~~division~~ may impose a civil  
6240 | fine of up to \$1,000 for each violation of the rules of the  
6241 | department ~~division~~ in addition to or in lieu of any other  
6242 | penalty provided for in this section. In addition to any other  
6243 | penalty provided by law, the department ~~division~~ may exclude  
6244 | from all pari-mutuel facilities in this state, for a period not  
6245 | to exceed the period of suspension, revocation, or  
6246 | ineligibility, any person whose occupational license application  
6247 | has been denied by the department ~~division~~, who has been  
6248 | declared ineligible to hold an occupational license, or whose  
6249 | occupational license has been suspended or revoked by the  
6250 | department ~~division~~.

6251 |       (f) The department ~~division~~ may cancel any occupational  
6252 | license that has been voluntarily relinquished by the licensee.

6253 |       (6) In order to promote the orderly presentation of pari-  
6254 | mutuel meets authorized in this chapter, the department ~~division~~  
6255 | may issue a temporary occupational license. The department  
6256 | ~~division~~ shall adopt rules to implement this subsection.  
6257 | However, no temporary occupational license shall be valid for  
6258 | more than 90 days, and no more than one temporary license may be  
6259 | issued for any person in any year.

6260           (7) The department ~~division~~ may deny, revoke, or suspend  
 6261 any occupational license if the applicant therefor or holder  
 6262 thereof accumulates unpaid obligations or defaults in  
 6263 obligations, or issues drafts or checks that are dishonored or  
 6264 for which payment is refused without reasonable cause, if such  
 6265 unpaid obligations, defaults, or dishonored or refused drafts or  
 6266 checks directly relate to the sport of jai alai or racing being  
 6267 conducted at a pari-mutuel facility within this state.

6268           (8) The department ~~division~~ may fine, or suspend or  
 6269 revoke, or place conditions upon, the license of any licensee  
 6270 who under oath knowingly provides false information regarding an  
 6271 investigation by the department ~~division~~.

6272           (10) (a) Upon application for an occupational license, the  
 6273 department ~~division~~ may require the applicant's full legal name;  
 6274 any nickname, alias, or maiden name for the applicant; name of  
 6275 the applicant's spouse; the applicant's date of birth, residence  
 6276 address, mailing address, residence address and business phone  
 6277 number, and social security number; disclosure of any felony or  
 6278 any conviction involving bookmaking, illegal gambling, or  
 6279 cruelty to animals; disclosure of any past or present  
 6280 enforcement or actions by any racing or gaming agency against  
 6281 the applicant; and any information the department ~~division~~  
 6282 determines is necessary to establish the identity of the  
 6283 applicant or to establish that the applicant is of good moral  
 6284 character. Fingerprints shall be taken in a manner approved by  
 6285 the department ~~division~~ and then shall be submitted to the

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6286 Federal Bureau of Investigation, or to the association of state  
6287 officials regulating pari-mutuel wagering pursuant to the  
6288 Federal Pari-mutuel Licensing Simplification Act of 1988. The  
6289 cost of processing fingerprints shall be borne by the applicant  
6290 and paid to the association of state officials regulating pari-  
6291 mutuel wagering from the trust fund to which the processing fees  
6292 are deposited. The department ~~division~~, by rule, may require  
6293 additional information from licensees which is reasonably  
6294 necessary to regulate the industry. The department ~~division~~ may,  
6295 by rule, exempt certain occupations or groups of persons from  
6296 the fingerprinting requirements.

6297 (b) All fingerprints required by this section that are  
6298 submitted to the Department of Law Enforcement shall be retained  
6299 by the Department of Law Enforcement and entered into the  
6300 statewide automated biometric identification system as  
6301 authorized by s. 943.05(2)(b) and shall be available for all  
6302 purposes and uses authorized for arrest fingerprints entered  
6303 into the statewide automated biometric identification system  
6304 pursuant to s. 943.051.

6305 (c) The Department of Law Enforcement shall search all  
6306 arrest fingerprints received pursuant to s. 943.051 against the  
6307 fingerprints retained in the statewide automated biometric  
6308 identification system under paragraph (b). Any arrest record  
6309 that is identified with the retained fingerprints of a person  
6310 subject to the criminal history screening requirements of this  
6311 section shall be reported to the department ~~division~~. Each

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6312 licensee shall pay a fee to the department ~~division~~ for the cost  
6313 of retention of the fingerprints and the ongoing searches under  
6314 this paragraph. The department ~~division~~ shall forward the  
6315 payment to the Department of Law Enforcement. The amount of the  
6316 fee to be imposed for performing these searches and the  
6317 procedures for the retention of licensee fingerprints shall be  
6318 as established by rule of the Department of Law Enforcement. The  
6319 department ~~division~~ shall inform the Department of Law  
6320 Enforcement of any change in the license status of licensees  
6321 whose fingerprints are retained under paragraph (b).

6322 (d) The department ~~division~~ shall request the Department  
6323 of Law Enforcement to forward the fingerprints to the Federal  
6324 Bureau of Investigation for a national criminal history records  
6325 check at least once every 5 years following issuance of a  
6326 license. If the fingerprints of a person who is licensed have  
6327 not been retained by the Department of Law Enforcement, the  
6328 person must file a complete set of fingerprints as provided in  
6329 paragraph (a). The department ~~division~~ shall collect the fees  
6330 for the cost of the national criminal history records check  
6331 under this paragraph and forward the payment to the Department  
6332 of Law Enforcement. The cost of processing fingerprints and  
6333 conducting a criminal history records check under this paragraph  
6334 for a general occupational license shall be borne by the  
6335 applicant. The cost of processing fingerprints and conducting a  
6336 criminal history records check under this paragraph for a  
6337 business or professional occupational license shall be borne by

6338 the person being checked. The Department of Law Enforcement may  
6339 invoice the department ~~division~~ for the fingerprints submitted  
6340 each month. Under penalty of perjury, each person who is  
6341 licensed or who is fingerprinted as required by this section  
6342 must agree to inform the department ~~division~~ within 48 hours if  
6343 he or she is convicted of or has entered a plea of guilty or  
6344 nolo contendere to any disqualifying offense, regardless of  
6345 adjudication.

6346 Section 90. Effective October 1, 2015, subsection (1) of  
6347 section 550.1155, Florida Statutes, is amended to read:

6348 550.1155 Authority of stewards, judges, panel of judges,  
6349 or player's manager to impose penalties against occupational  
6350 licensees; disposition of funds collected.—

6351 (1) The stewards at a horse racetrack; the judges at a dog  
6352 track; or the judges, a panel of judges, or a player's manager  
6353 at a jai alai fronton may impose a civil penalty against any  
6354 occupational licensee for violation of the pari-mutuel laws or  
6355 any rule adopted by the department ~~division~~. The penalty may not  
6356 exceed \$1,000 for each count or separate offense or exceed 60  
6357 days of suspension for each count or separate offense.

6358 Section 91. Effective October 1, 2015, subsections (2) and  
6359 (3) of section 550.125, Florida Statutes, are amended to read:

6360 550.125 Uniform reporting system; bond requirement.—

6361 (2) (a) Each permitholder that conducts race meetings or  
6362 jai alai exhibitions under this chapter shall keep records that  
6363 clearly show the total number of admissions and the total amount

6364 of money contributed to each pari-mutuel pool on each race or  
 6365 exhibition separately and the amount of money received daily  
 6366 from admission fees and, within 120 days after the end of its  
 6367 fiscal year, shall submit to the department ~~division~~ a complete  
 6368 annual report of its accounts, audited by a certified public  
 6369 accountant licensed to practice in the state.

6370 (b) The department ~~division~~ shall adopt rules specifying  
 6371 the form and content of such reports, including, but not limited  
 6372 to, requirements for a statement of assets and liabilities,  
 6373 operating revenues and expenses, and net worth, which statement  
 6374 must be audited by a certified public accountant licensed to  
 6375 practice in this state, and any supporting informational  
 6376 schedule found necessary by the department ~~division~~ to verify  
 6377 the foregoing financial statement, which informational schedule  
 6378 must be attested to under oath by the permitholder or an officer  
 6379 of record, to permit the department ~~division~~ to:

- 6380 1. Assess the profitability and financial soundness of
- 6381 permitholders, both individually and as an industry;
- 6382 2. Plan and recommend measures necessary to preserve and
- 6383 protect the pari-mutuel revenues of the state; and
- 6384 3. Completely identify the holdings, transactions, and
- 6385 investments of permitholders with other business entities.

6386 (c) The Auditor General and the Office of Program Policy  
 6387 Analysis and Government Accountability may, pursuant to their  
 6388 own authority or at the direction of the Legislative Auditing  
 6389 Committee, audit, examine, and check the books and records of

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6390 any permitholder. These audit reports shall become part of, and  
6391 be maintained in, the department ~~division~~ files.

6392 (d) The department ~~division~~ shall annually review the  
6393 books and records of each permitholder and verify that the  
6394 breaks and unclaimed ticket payments made by each permitholder  
6395 are true and correct.

6396 (3) (a) Each permitholder to which a license is granted  
6397 under this chapter, at its own cost and expense, must, before  
6398 the license is delivered, give a bond in the penal sum of  
6399 \$50,000 payable to the Governor of the state and her or his  
6400 successors in office, with a surety or sureties to be approved  
6401 by the department ~~division~~ and the Chief Financial Officer,  
6402 conditioned to faithfully make the payments to the Chief  
6403 Financial Officer in her or his capacity as treasurer of the  
6404 department ~~division~~; to keep its books and records and make  
6405 reports as provided; and to conduct its racing in conformity  
6406 with this chapter. When the greatest amount of tax owed during  
6407 any month in the prior state fiscal year, in which a full  
6408 schedule of live racing was conducted, is less than \$50,000, the  
6409 department ~~division~~ may assess a bond in a sum less than  
6410 \$50,000. The department ~~division~~ may review the bond for  
6411 adequacy and require adjustments each fiscal year. The  
6412 department ~~division~~ has the authority to adopt rules to  
6413 implement this paragraph and establish guidelines for such  
6414 bonds.

6415 (b) The provisions of this chapter concerning bonding do



6416 not apply to nonwagering licenses issued pursuant to s. 550.505.

6417 Section 92. Effective October 1, 2015, subsections (1) and  
6418 (3) of section 550.135, Florida Statutes, are amended to read:

6419 550.135 Division of moneys derived under this law.—All  
6420 moneys that are deposited with the Chief Financial Officer to  
6421 the credit of the Pari-mutuel Wagering Trust Fund shall be  
6422 distributed as follows:

6423 (1) The daily license fee revenues collected pursuant to  
6424 s. 550.0951(1) shall be used to fund the operating cost of the  
6425 department division and to provide a proportionate share of the  
6426 operation of the office of the secretary and the Division of  
6427 Administration of the department ~~of Business and Professional~~  
6428 ~~Regulation~~; however, other collections in the Pari-mutuel  
6429 Wagering Trust Fund may also be used to fund the operation of  
6430 the department division in accordance with authorized  
6431 appropriations.

6432 (3) The slot machine license fee, the slot machine  
6433 occupational license fee, and the compulsive or addictive  
6434 gambling prevention program fee collected pursuant to ss.  
6435 551.106, 551.107(2) (a)1., and 551.118 shall be used to fund the  
6436 direct and indirect operating expenses of the department's  
6437 ~~division's~~ slot machine regulation operations and to provide  
6438 funding for relevant enforcement activities in accordance with  
6439 authorized appropriations. Funds deposited into the Pari-mutuel  
6440 Wagering Trust Fund pursuant to ss. 551.106, 551.107(2) (a)1.,  
6441 and 551.118 shall be reserved in the trust fund for slot machine

6442 regulation operations. On June 30, any unappropriated funds in  
 6443 excess of those necessary for incurred obligations and  
 6444 subsequent year cash flow for slot machine regulation operations  
 6445 shall be deposited with the Chief Financial Officer to the  
 6446 credit of the General Revenue Fund.

6447 Section 93. Effective October 1, 2015, subsection (1) of  
 6448 section 550.155, Florida Statutes, is amended to read:

6449 550.155 Pari-mutuel pool within track enclosure; takeouts;  
 6450 breaks; penalty for purchasing part of a pari-mutuel pool for or  
 6451 through another in specified circumstances.—

6452 (1) Wagering on the results of a horserace, dograce, or on  
 6453 the scores or points of a jai alai game and the sale of tickets  
 6454 or other evidences showing an interest in or a contribution to a  
 6455 pari-mutuel pool are allowed within the enclosure of any pari-  
 6456 mutuel facility licensed and conducted under this chapter but  
 6457 are not allowed elsewhere in this state, must be supervised by  
 6458 the department ~~division~~, and are subject to such reasonable  
 6459 rules that the department ~~division~~ prescribes.

6460 Section 94. Effective October 1, 2015, section 550.175,  
 6461 Florida Statutes, is amended to read:

6462 550.175 Petition for election to revoke permit.—Upon  
 6463 petition of 20 percent of the qualified electors of any county  
 6464 wherein any racing has been licensed and conducted under this  
 6465 chapter, the county commissioners of such county shall provide  
 6466 for the submission to the electors of such county at the then  
 6467 next succeeding general election the question of whether any

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6468 permit or permits theretofore granted shall be continued or  
6469 revoked, and if a majority of the electors voting on such  
6470 question in such election vote to cancel or recall the permit  
6471 theretofore given, the department ~~division~~ may not thereafter  
6472 grant any license on the permit so recalled. Every signature  
6473 upon every recall petition must be signed in the presence of the  
6474 clerk of the board of county commissioners at the office of the  
6475 clerk of the circuit court of the county, and the petitioner  
6476 must present at the time of such signing her or his registration  
6477 receipt showing the petitioner's qualification as an elector of  
6478 the county at the time of the signing of the petition. Not more  
6479 than one permit may be included in any one petition; and, in all  
6480 elections in which the recall of more than one permit is voted  
6481 on, the voters shall be given an opportunity to vote for or  
6482 against the recall of each permit separately. Nothing in this  
6483 chapter shall be construed to prevent the holding of later  
6484 referendum or recall elections.

6485 Section 95. Effective October 1, 2015, subsections (1),  
6486 (3), and (5) of section 550.1815, Florida Statutes, are amended  
6487 to read:

6488 550.1815 Certain persons prohibited from holding racing or  
6489 jai alai permits; suspension and revocation.—

6490 (1) A corporation, general or limited partnership, sole  
6491 proprietorship, business trust, joint venture, or unincorporated  
6492 association, or other business entity may not hold any  
6493 horseracing or dogracing permit or jai alai fronton permit in

6494 | this state if any one of the persons or entities specified in  
 6495 | paragraph (a) has been determined by the department ~~division~~ not  
 6496 | to be of good moral character or has been convicted of any  
 6497 | offense specified in paragraph (b).

- 6498 |       (a)1. The permitholder;  
 6499 |       2. An employee of the permitholder;  
 6500 |       3. The sole proprietor of the permitholder;  
 6501 |       4. A corporate officer or director of the permitholder;  
 6502 |       5. A general partner of the permitholder;  
 6503 |       6. A trustee of the permitholder;  
 6504 |       7. A member of an unincorporated association permitholder;  
 6505 |       8. A joint venturer of the permitholder;  
 6506 |       9. The owner of more than 5 percent of any equity interest  
 6507 | in the permitholder, whether as a common shareholder, general or  
 6508 | limited partner, voting trustee, or trust beneficiary; or  
 6509 |       10. An owner of any interest in the permit or  
 6510 | permitholder, including any immediate family member of the  
 6511 | owner, or holder of any debt, mortgage, contract, or concession  
 6512 | from the permitholder, who by virtue thereof is able to control  
 6513 | the business of the permitholder.

- 6514 |       (b)1. A felony in this state;  
 6515 |       2. Any felony in any other state which would be a felony  
 6516 | if committed in this state under the laws of this state;  
 6517 |       3. Any felony under the laws of the United States;  
 6518 |       4. A felony under the laws of another state if related to  
 6519 | gambling which would be a felony under the laws of this state if

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6520 committed in this state; or

6521 5. Bookmaking as defined in s. 849.25.

6522 (3) After notice and hearing, the department ~~division~~

6523 shall refuse to issue or renew or shall suspend, as appropriate,

6524 any permit found in violation of subsection (1). The order shall

6525 become effective 120 days after service of the order upon the

6526 permitholder and shall be amended to constitute a final order of

6527 revocation unless the permitholder has, within that period of

6528 time, either caused the divestiture, or agreed with the

6529 convicted person upon a complete immediate divestiture, of her

6530 or his holding, or has petitioned the circuit court as provided

6531 in subsection (4) or, in the case of corporate officers or

6532 directors of the holder or employees of the holder, has

6533 terminated the relationship between the permitholder and those

6534 persons mentioned. The department ~~division~~ may, by order, extend

6535 the 120-day period for divestiture, upon good cause shown, to

6536 avoid interruption of any jai alai or race meeting or to

6537 otherwise effectuate this section. If no action has been taken

6538 by the permitholder within the 120-day period following the

6539 issuance of the order of suspension, the department ~~division~~

6540 shall, without further notice or hearing, enter a final order of

6541 revocation of the permit. When any permitholder or sole

6542 proprietor of a permitholder is convicted of an offense

6543 specified in paragraph (1)(b), the department may approve a

6544 transfer of the permit to a qualified applicant, upon a finding

6545 that revocation of the permit would impair the state's revenue

6546 from the operation of the permit or otherwise be detrimental to  
6547 the interests of the state in the regulation of the industry of  
6548 pari-mutuel wagering. In such approval, no public referendum is  
6549 required, notwithstanding any other provision of law. A petition  
6550 for transfer after conviction must be filed with the department  
6551 within 30 days after service upon the permitholder of the final  
6552 order of revocation. The timely filing of such a petition  
6553 automatically stays any revocation order until further order of  
6554 the department.

6555 (5) The department ~~division~~ shall make such rules for the  
6556 photographing, fingerprinting, and obtaining of personal data of  
6557 individuals described in paragraph (1)(a) and the obtaining of  
6558 such data regarding the business entities described in paragraph  
6559 (1)(a) as is necessary to effectuate the provisions of this  
6560 section.

6561 Section 96. Effective October 1, 2015, paragraph (a) of  
6562 subsection (2), paragraph (c) of subsection (3), and subsection  
6563 (6) of section 550.24055, Florida Statutes, are amended to read:

6564 550.24055 Use of controlled substances or alcohol  
6565 prohibited; testing of certain occupational licensees; penalty;  
6566 evidence of test or action taken and admissibility for criminal  
6567 prosecution limited.—

6568 (2) The occupational licensees, by applying for and  
6569 holding such licenses, are deemed to have given their consents  
6570 to submit to an approved chemical test of their breath for the  
6571 purpose of determining the alcoholic content of their blood and

6572 to a urine or blood test for the purpose of detecting the  
6573 presence of controlled substances. Such tests shall only be  
6574 conducted upon reasonable cause that a violation has occurred as  
6575 shall be determined solely by the stewards at a horseracing  
6576 meeting or the judges or board of judges at a dogtrack or jai  
6577 alai meet. The failure to submit to such test may result in a  
6578 suspension of the person's occupational license for a period of  
6579 10 days or until this section has been complied with, whichever  
6580 is longer.

6581 (a) If there was at the time of the test 0.05 percent or  
6582 less by weight of alcohol in the person's blood, the person is  
6583 presumed not to have been under the influence of alcoholic  
6584 beverages to the extent that the person's normal faculties were  
6585 impaired, and no action of any sort may be taken by the  
6586 stewards, judges, or board of judges or the department ~~division~~.

6587  
6588 All tests relating to alcohol must be performed in a manner  
6589 substantially similar, or identical, to the provisions of s.  
6590 316.1934 and rules adopted pursuant to that section. Following a  
6591 test of the urine or blood to determine the presence of a  
6592 controlled substance as defined in chapter 893, if a controlled  
6593 substance is found to exist, the stewards, judges, or board of  
6594 judges may take such action as is permitted in this section.

6595 (3) A violation of subsection (2) is subject to the  
6596 following penalties:

6597 (c) If the second violation occurred within 1 year after

6598 the first violation, then upon the finding of a third violation  
 6599 of this section within 1 year after the second violation, the  
 6600 stewards, judges, or board of judges may suspend the licensee  
 6601 for up to 120 days; and the stewards, judges, or board of judges  
 6602 shall forward the results of the tests under paragraphs (a) and  
 6603 (b) and this violation to the department ~~division~~. In addition  
 6604 to the action taken by the stewards, judges, or board of judges,  
 6605 the department ~~division~~, after a hearing, may deny, suspend, or  
 6606 revoke the occupational license of the licensee and may impose a  
 6607 civil penalty of up to \$5,000 in addition to, or in lieu of, a  
 6608 suspension or revocation, it being the intent of the Legislature  
 6609 that the department ~~division~~ shall have no authority over the  
 6610 enforcement of this section until a licensee has committed the  
 6611 third violation within 2 years after the first violation.

6612 (6) Evidence of any test or actions taken by the stewards,  
 6613 judges, or board of judges or the department ~~division~~ under this  
 6614 section is inadmissible for any purpose in any court for  
 6615 criminal prosecution, it being the intent of the Legislature to  
 6616 provide a method and means by which the health, safety, and  
 6617 welfare of those officiating at or participating in a race meet  
 6618 or a jai alai game are sufficiently protected. However, this  
 6619 subsection does not prohibit any person so authorized from  
 6620 pursuing an independent investigation as a result of a ruling  
 6621 made by the stewards, judges, or board of judges, or the  
 6622 department ~~division~~.

6623 Section 97. Effective October 1, 2015, subsection (4) of



6624 section 550.2614, Florida Statutes, is amended to read:

6625       550.2614 Distribution of certain funds to a horsemen's  
6626 association.—

6627       (4) The department ~~division~~ shall adopt rules to  
6628 facilitate the orderly transfer of funds in accordance with this  
6629 section. The department ~~division~~ shall also monitor the  
6630 membership rolls of the horsemen's association to ensure that  
6631 complete, accurate, and timely listings are maintained for the  
6632 purposes specified in this section.

6633       Section 98. Effective October 1, 2015, paragraphs (b) and  
6634 (d) of subsection (2), subsections (3) and (4), paragraphs (a),  
6635 (f), (g), and (h) of subsection (5), paragraph (e) of subsection  
6636 (6), and subsections (7) and (8) of section 550.2625, Florida  
6637 Statutes, are amended to read:

6638       550.2625 Horseracing; minimum purse requirement, Florida  
6639 breeders' and owners' awards.—

6640       (2) Each permitholder conducting a horserace meet is  
6641 required to pay from the takeout withheld on pari-mutuel pools a  
6642 sum for purses in accordance with the type of race performed.

6643       (b)1. A permitholder conducting a harness horse race meet  
6644 under this chapter must pay to the purse pool from the takeout  
6645 withheld a purse requirement that totals an amount not less than  
6646 8.25 percent of all contributions to pari-mutuel pools conducted  
6647 during the race meet. An amount not less than 7.75 percent of  
6648 the total handle shall be paid from this purse pool as purses.

6649       2. An amount not to exceed 0.5 percent of the total handle

6650 on all harness horse races that are subject to the purse  
6651 requirement of subparagraph 1., must be available for use to  
6652 provide medical, dental, surgical, life, funeral, or disability  
6653 insurance benefits for occupational licensees who work at tracks  
6654 in this state at which harness horse races are conducted. Such  
6655 insurance benefits must be paid from the purse pool specified in  
6656 subparagraph 1. An annual plan for payment of insurance benefits  
6657 from the purse pool, including qualifications for eligibility,  
6658 must be submitted by the Florida Standardbred Breeders and  
6659 Owners Association for approval to the department ~~division~~. An  
6660 annual report of the implemented plan shall be submitted to the  
6661 department ~~division~~. All records of the Florida Standardbred  
6662 Breeders and Owners Association concerning the administration of  
6663 the plan must be available for audit at the discretion of the  
6664 department ~~division~~ to determine that the plan has been  
6665 implemented and administered as authorized. If the department  
6666 ~~division~~ finds that the Florida Standardbred Breeders and Owners  
6667 Association has not complied with the provisions of this  
6668 section, the department ~~division~~ may order the association to  
6669 cease and desist from administering the plan and shall appoint  
6670 the department ~~division~~ as temporary administrator of the plan  
6671 until the department ~~division~~ reestablishes administration of  
6672 the plan with the association.

6673 (d) The department ~~division~~ shall adopt reasonable rules  
6674 to ensure the timely and accurate payment of all amounts  
6675 withheld by horserace permitholders regarding the distribution

6676 of purses, owners' awards, and other amounts collected for  
6677 payment to owners and breeders. Each permitholder that fails to  
6678 pay out all moneys collected for payment to owners and breeders  
6679 shall, within 10 days after the end of the meet during which the  
6680 permitholder underpaid purses, deposit an amount equal to the  
6681 underpayment into a separate interest-bearing account to be  
6682 distributed to owners and breeders in accordance with department  
6683 ~~division~~ rules.

6684 (3) Each horseracing permitholder conducting any  
6685 thoroughbred race under this chapter, including any intertrack  
6686 race taken pursuant to ss. 550.615-550.6305 or any interstate  
6687 simulcast taken pursuant to s. 550.3551(3) shall pay a sum equal  
6688 to 0.955 percent on all pari-mutuel pools conducted during any  
6689 such race for the payment of breeders', stallion, or special  
6690 racing awards as authorized in this chapter. This subsection  
6691 also applies to all Breeder's Cup races conducted outside this  
6692 state taken pursuant to s. 550.3551(3). On any race originating  
6693 live in this state which is broadcast out-of-state to any  
6694 location at which wagers are accepted pursuant to s.  
6695 550.3551(2), the host track is required to pay 3.475 percent of  
6696 the gross revenue derived from such out-of-state broadcasts as  
6697 breeders', stallion, or special racing awards. The Florida  
6698 Thoroughbred Breeders' Association is authorized to receive  
6699 these payments from the permitholders and make payments of  
6700 awards earned. The Florida Thoroughbred Breeders' Association  
6701 has the right to withhold up to 10 percent of the permitholder's

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6702 payments under this section as a fee for administering the  
6703 payments of awards and for general promotion of the industry.  
6704 The permitholder shall remit these payments to the Florida  
6705 Thoroughbred Breeders' Association by the 5th day of each  
6706 calendar month for such sums accruing during the preceding  
6707 calendar month and shall report such payments to the department  
6708 ~~division~~ as prescribed by the department ~~division~~. With the  
6709 exception of the 10-percent fee, the moneys paid by the  
6710 permitholders shall be maintained in a separate, interest-  
6711 bearing account, and such payments together with any interest  
6712 earned shall be used exclusively for the payment of breeders',  
6713 stallion, or special racing awards in accordance with the  
6714 following provisions:

6715 (a) The breeder of each Florida-bred thoroughbred horse  
6716 winning a thoroughbred horse race is entitled to an award of up  
6717 to, but not exceeding, 20 percent of the announced gross purse,  
6718 including nomination fees, eligibility fees, starting fees,  
6719 supplementary fees, and moneys added by the sponsor of the race.

6720 (b) The owner or owners of the sire of a Florida-bred  
6721 thoroughbred horse that wins a stakes race is entitled to a  
6722 stallion award of up to, but not exceeding, 20 percent of the  
6723 announced gross purse, including nomination fees, eligibility  
6724 fees, starting fees, supplementary fees, and moneys added by the  
6725 sponsor of the race.

6726 (c) The owners of thoroughbred horses participating in  
6727 thoroughbred stakes races, nonstakes races, or both may receive

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6728 a special racing award in accordance with the agreement  
6729 established pursuant to s. 550.26165(1).

6730 (d) In order for a breeder of a Florida-bred thoroughbred  
6731 horse to be eligible to receive a breeder's award, the horse  
6732 must have been registered as a Florida-bred horse with the  
6733 Florida Thoroughbred Breeders' Association, and the Jockey Club  
6734 certificate for the horse must show that it has been duly  
6735 registered as a Florida-bred horse as evidenced by the seal and  
6736 proper serial number of the Florida Thoroughbred Breeders'  
6737 Association registry. The Florida Thoroughbred Breeders'  
6738 Association shall be permitted to charge the registrant a  
6739 reasonable fee for this verification and registration.

6740 (e) In order for an owner of the sire of a thoroughbred  
6741 horse winning a stakes race to be eligible to receive a stallion  
6742 award, the stallion must have been registered with the Florida  
6743 Thoroughbred Breeders' Association, and the breeding of the  
6744 registered Florida-bred horse must have occurred in this state.  
6745 The stallion must be standing permanently in this state during  
6746 the period of time between February 1 and June 15 of each year  
6747 or, if the stallion is dead, must have stood permanently in this  
6748 state for a period of not less than 1 year immediately before  
6749 ~~prior to~~ its death. The removal of a stallion from this state  
6750 during the period of time between February 1 and June 15 of any  
6751 year for any reason, other than exclusively for prescribed  
6752 medical treatment, as approved by the Florida Thoroughbred  
6753 Breeders' Association, renders the owner or owners of the

6754 stallion ineligible to receive a stallion award under any  
6755 circumstances for offspring sired prior to removal; however, if  
6756 a removed stallion is returned to this state, all offspring  
6757 sired subsequent to the return make the owner or owners of the  
6758 stallion eligible for the stallion award but only for those  
6759 offspring sired subsequent to such return to this state. The  
6760 Florida Thoroughbred Breeders' Association shall maintain  
6761 complete records showing the date the stallion arrived in this  
6762 state for the first time, whether or not the stallion remained  
6763 in the state permanently, the location of the stallion, and  
6764 whether the stallion is still standing in this state and  
6765 complete records showing awards earned, received, and  
6766 distributed. The association may charge the owner, owners, or  
6767 breeder a reasonable fee for this service.

6768 (f) A permitholder conducting a thoroughbred horse race  
6769 under the provisions of this chapter shall, within 30 days after  
6770 the end of the race meet during which the race is conducted,  
6771 certify to the Florida Thoroughbred Breeders' Association such  
6772 information relating to the thoroughbred horses winning a stakes  
6773 or other horserace at the meet as may be required to determine  
6774 the eligibility for payment of breeders', stallion, and special  
6775 racing awards.

6776 (g) The Florida Thoroughbred Breeders' Association shall  
6777 maintain complete records showing the starters and winners in  
6778 all races conducted at thoroughbred tracks in this state; shall  
6779 maintain complete records showing awards earned, received, and

6780 distributed; and may charge the owner, owners, or breeder a  
6781 reasonable fee for this service.

6782 (h) The Florida Thoroughbred Breeders' Association shall  
6783 annually establish a uniform rate and procedure for the payment  
6784 of breeders' and stallion awards and shall make breeders' and  
6785 stallion award payments in strict compliance with the  
6786 established uniform rate and procedure plan. The plan may set a  
6787 cap on winnings and may limit, exclude, or defer payments to  
6788 certain classes of races, such as the Florida stallion stakes  
6789 races, in order to assure that there are adequate revenues to  
6790 meet the proposed uniform rate. Such plan must include proposals  
6791 for the general promotion of the industry. Priority shall be  
6792 placed upon imposing such restrictions in lieu of allowing the  
6793 uniform rate to be less than 15 percent of the total purse  
6794 payment. The uniform rate and procedure plan must be approved by  
6795 the department ~~division~~ before implementation. In the absence of  
6796 an approved plan and procedure, the authorized rate for  
6797 breeders' and stallion awards is 15 percent of the announced  
6798 gross purse for each race. Such purse must include nomination  
6799 fees, eligibility fees, starting fees, supplementary fees, and  
6800 moneys added by the sponsor of the race. If the funds in the  
6801 account for payment of breeders' and stallion awards are not  
6802 sufficient to meet all earned breeders' and stallion awards,  
6803 those breeders and stallion owners not receiving payments have  
6804 first call on any subsequent receipts in that or any subsequent  
6805 year.

6806 (i) The Florida Thoroughbred Breeders' Association shall  
 6807 keep accurate records showing receipts and disbursements of such  
 6808 payments and shall annually file a full and complete report to  
 6809 the department ~~division~~ showing such receipts and disbursements  
 6810 and the sums withheld for administration. The department  
 6811 ~~division~~ may audit the records and accounts of the Florida  
 6812 Thoroughbred Breeders' Association to determine that payments  
 6813 have been made to eligible breeders and stallion owners in  
 6814 accordance with this section.

6815 (j) If the department ~~division~~ finds that the Florida  
 6816 Thoroughbred Breeders' Association has not complied with any  
 6817 provision of this section, the department ~~division~~ may order the  
 6818 association to cease and desist from receiving funds and  
 6819 administering funds received under this section. If the  
 6820 department ~~division~~ enters such an order, the permitholder shall  
 6821 make the payments authorized in this section to the department  
 6822 ~~division~~ for deposit into the Pari-mutuel Wagering Trust Fund;  
 6823 and any funds in the Florida Thoroughbred Breeders' Association  
 6824 account shall be immediately paid to the Department of Gaming  
 6825 Control ~~Division of Pari-mutuel Wagering~~ for deposit to the  
 6826 Pari-mutuel Wagering Trust Fund. The department ~~division~~ shall  
 6827 authorize payment from these funds to any breeder or stallion  
 6828 owner entitled to an award that has not been previously paid by  
 6829 the Florida Thoroughbred Breeders' Association in accordance  
 6830 with the applicable rate.

6831 (4) Each permitholder conducting a harness horse race



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6832 under this chapter shall pay a sum equal to the breaks on all  
6833 pari-mutuel pools conducted during that race for the payment of  
6834 breeders' awards, stallion awards, and stallion stakes and for  
6835 additional expenditures as authorized in this section. The  
6836 Florida Standardbred Breeders and Owners Association is  
6837 authorized to receive these payments from the permitholders and  
6838 make payments as authorized in this subsection. The Florida  
6839 Standardbred Breeders and Owners Association has the right to  
6840 withhold up to 10 percent of the permitholder's payments under  
6841 this section and under s. 550.2633 as a fee for administering  
6842 these payments. The permitholder shall remit these payments to  
6843 the Florida Standardbred Breeders and Owners Association by the  
6844 5th day of each calendar month for such sums accruing during the  
6845 preceding calendar month and shall report such payments to the  
6846 department ~~division~~ as prescribed by the department ~~division~~.  
6847 With the exception of the 10-percent fee for administering the  
6848 payments and the use of the moneys authorized by paragraph (j),  
6849 the moneys paid by the permitholders shall be maintained in a  
6850 separate, interest-bearing account; and such payments together  
6851 with any interest earned shall be allocated for the payment of  
6852 breeders' awards, stallion awards, stallion stakes, additional  
6853 purses, and prizes for, and the general promotion of owning and  
6854 breeding of, Florida-bred standardbred horses. Payment of  
6855 breeders' awards and stallion awards shall be made in accordance  
6856 with the following provisions:  
6857 (a) The breeder of each Florida-bred standardbred horse

6858 winning a harness horse race is entitled to an award of up to,  
6859 but not exceeding, 20 percent of the announced gross purse,  
6860 including nomination fees, eligibility fees, starting fees,  
6861 supplementary fees, and moneys added by the sponsor of the race.

6862 (b) The owner or owners of the sire of a Florida-bred  
6863 standardbred horse that wins a stakes race is entitled to a  
6864 stallion award of up to, but not exceeding, 20 percent of the  
6865 announced gross purse, including nomination fees, eligibility  
6866 fees, starting fees, supplementary fees, and moneys added by the  
6867 sponsor of the race.

6868 (c) In order for a breeder of a Florida-bred standardbred  
6869 horse to be eligible to receive a breeder's award, the horse  
6870 winning the race must have been registered as a Florida-bred  
6871 horse with the Florida Standardbred Breeders and Owners  
6872 Association and a registration certificate under seal for the  
6873 winning horse must show that the winner has been duly registered  
6874 as a Florida-bred horse as evidenced by the seal and proper  
6875 serial number of the United States Trotting Association  
6876 registry. The Florida Standardbred Breeders and Owners  
6877 Association shall be permitted to charge the registrant a  
6878 reasonable fee for this verification and registration.

6879 (d) In order for an owner of the sire of a standardbred  
6880 horse winning a stakes race to be eligible to receive a stallion  
6881 award, the stallion must have been registered with the Florida  
6882 Standardbred Breeders and Owners Association, and the breeding  
6883 of the registered Florida-bred horse must have occurred in this

6884 state. The stallion must be standing permanently in this state  
6885 or, if the stallion is dead, must have stood permanently in this  
6886 state for a period of not less than 1 year immediately prior to  
6887 its death. The removal of a stallion from this state for any  
6888 reason, other than exclusively for prescribed medical treatment,  
6889 renders the owner or the owners of the stallion ineligible to  
6890 receive a stallion award under any circumstances for offspring  
6891 sired prior to removal; however, if a removed stallion is  
6892 returned to this state, all offspring sired subsequent to the  
6893 return make the owner or owners of the stallion eligible for the  
6894 stallion award but only for those offspring sired subsequent to  
6895 such return to this state. The Florida Standardbred Breeders and  
6896 Owners Association shall maintain complete records showing the  
6897 date the stallion arrived in this state for the first time,  
6898 whether or not the stallion remained in the state permanently,  
6899 the location of the stallion, and whether the stallion is still  
6900 standing in this state and complete records showing awards  
6901 earned, received, and distributed. The association may charge  
6902 the owner, owners, or breeder a reasonable fee for this service.

6903 (e) A permitholder conducting a harness horse race under  
6904 this chapter shall, within 30 days after the end of the race  
6905 meet during which the race is conducted, certify to the Florida  
6906 Standardbred Breeders and Owners Association such information  
6907 relating to the horse winning a stakes or other horserace at the  
6908 meet as may be required to determine the eligibility for payment  
6909 of breeders' awards and stallion awards.

6910 (f) The Florida Standardbred Breeders and Owners  
 6911 Association shall maintain complete records showing the starters  
 6912 and winners in all races conducted at harness horse racetracks  
 6913 in this state; shall maintain complete records showing awards  
 6914 earned, received, and distributed; and may charge the owner,  
 6915 owners, or breeder a reasonable fee for this service.

6916 (g) The Florida Standardbred Breeders and Owners  
 6917 Association shall annually establish a uniform rate and  
 6918 procedure for the payment of breeders' awards, stallion awards,  
 6919 stallion stakes, additional purses, and prizes for, and for the  
 6920 general promotion of owning and breeding of, Florida-bred  
 6921 standardbred horses and shall make award payments and  
 6922 allocations in strict compliance with the established uniform  
 6923 rate and procedure. The plan may set a cap on winnings, and may  
 6924 limit, exclude, or defer payments to certain classes of races,  
 6925 such as the Florida Breeders' stakes races, in order to assure  
 6926 that there are adequate revenues to meet the proposed uniform  
 6927 rate. Priority shall be placed on imposing such restrictions in  
 6928 lieu of allowing the uniform rate allocated to payment of  
 6929 breeder and stallion awards to be less than 10 percent of the  
 6930 total purse payment. The uniform rate and procedure must be  
 6931 approved by the department ~~division~~ before implementation. In  
 6932 the absence of an approved plan and procedure, the authorized  
 6933 rate for breeders' and stallion awards is 10 percent of the  
 6934 announced gross purse for each race. Such purse must include  
 6935 nomination fees, eligibility fees, starting fees, supplementary

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6936 fees, and moneys added by the sponsor of the race. If the funds  
6937 in the account for payment of breeders' and stallion awards are  
6938 not sufficient to meet all earned breeders' and stallion awards,  
6939 those breeders and stallion owners not receiving payments have  
6940 first call on any subsequent receipts in that or any subsequent  
6941 year.

6942 (h) The Florida Standardbred Breeders and Owners  
6943 Association shall keep accurate records showing receipts and  
6944 disbursements of such payments and shall annually file a full  
6945 and complete report to the department ~~division~~ showing such  
6946 receipts and disbursements and the sums withheld for  
6947 administration. The department ~~division~~ may audit the records  
6948 and accounts of the Florida Standardbred Breeders and Owners  
6949 Association to determine that payments have been made to  
6950 eligible breeders, stallion owners, and owners of Florida-bred  
6951 standardbred horses in accordance with this section.

6952 (i) If the department ~~division~~ finds that the Florida  
6953 Standardbred Breeders and Owners Association has not complied  
6954 with any provision of this section, the department ~~division~~ may  
6955 order the association to cease and desist from receiving funds  
6956 and administering funds received under this section and under s.  
6957 550.2633. If the department ~~division~~ enters such an order, the  
6958 permitholder shall make the payments authorized in this section  
6959 and s. 550.2633 to the department ~~division~~ for deposit into the  
6960 Pari-mutuel Wagering Trust Fund; and any funds in the Florida  
6961 Standardbred Breeders and Owners Association account shall be

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6962 immediately paid to the department ~~division~~ for deposit to the  
6963 Pari-mutuel Wagering Trust Fund. The department ~~division~~ shall  
6964 authorize payment from these funds to any breeder, stallion  
6965 owner, or owner of a Florida-bred standardbred horse entitled to  
6966 an award that has not been previously paid by the Florida  
6967 Standardbred Breeders and Owners Association in accordance with  
6968 the applicable rate.

6969 (j) The board of directors of the Florida Standardbred  
6970 Breeders and Owners Association may authorize the release of up  
6971 to 25 percent of the funds available for breeders' awards,  
6972 stallion awards, stallion stakes, additional purses, and prizes  
6973 for, and for the general promotion of owning and breeding of,  
6974 Florida-bred standardbred horses to be used for purses for, and  
6975 promotion of, Florida-bred standardbred horses at race meetings  
6976 at which there is no pari-mutuel wagering unless, and to the  
6977 extent that, such release would render the funds available for  
6978 such awards insufficient to pay the breeders' and stallion  
6979 awards earned pursuant to the annual plan of the association.  
6980 Any such funds so released and used for purses are not  
6981 considered to be an "announced gross purse" as that term is used  
6982 in paragraphs (a) and (b), and no breeders' or stallion awards,  
6983 stallion stakes, or owner awards are required to be paid for  
6984 standardbred horses winning races in meetings at which there is  
6985 no pari-mutuel wagering. The amount of purses to be paid from  
6986 funds so released and the meets eligible to receive such funds  
6987 for purses must be approved by the board of directors of the

6988 Florida Standardbred Breeders and Owners Association.

6989 (5) (a) Except as provided in subsections (7) and (8), each

6990 permitholder conducting a quarter horse race meet under this

6991 chapter shall pay a sum equal to the breaks plus a sum equal to

6992 1 percent of all pari-mutuel pools conducted during that race

6993 for supplementing and augmenting purses and prizes and for the

6994 general promotion of owning and breeding of racing quarter

6995 horses in this state as authorized in this section. The Florida

6996 Quarter Horse Breeders and Owners Association is authorized to

6997 receive these payments from the permitholders and make payments

6998 as authorized in this subsection. The Florida Quarter Horse

6999 Breeders and Owners Association, Inc., referred to in this

7000 chapter as the Florida Quarter Horse Breeders and Owners

7001 Association, has the right to withhold up to 10 percent of the

7002 permitholder's payments under this section and under s. 550.2633

7003 as a fee for administering these payments. The permitholder

7004 shall remit these payments to the Florida Quarter Horse Breeders

7005 and Owners Association by the 5th day of each calendar month for

7006 such sums accruing during the preceding calendar month and shall

7007 report such payments to the department ~~division~~ as prescribed by

7008 the department ~~division~~. With the exception of the 5-percent fee

7009 for administering the payments, the moneys paid by the

7010 permitholders shall be maintained in a separate, interest-

7011 bearing account.

7012 (f) The Florida Quarter Horse Breeders and Owners

7013 Association shall keep accurate records showing receipts and

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7014 disbursements of payments made under this section and shall  
7015 annually file a full and complete report to the department  
7016 ~~division~~ showing such receipts and disbursements and the sums  
7017 withheld for administration. The department ~~division~~ may audit  
7018 the records and accounts of the Florida Quarter Horse Breeders  
7019 and Owners Association to determine that payments have been made  
7020 in accordance with this section.

7021 (g) The Florida Quarter Horse Breeders and Owners  
7022 Association shall annually establish a plan for supplementing  
7023 and augmenting purses and prizes and for the general promotion  
7024 of owning and breeding Florida-bred racing quarter horses and  
7025 shall make award payments and allocations in strict compliance  
7026 with the annual plan. The annual plan must be approved by the  
7027 department ~~division~~ before implementation. If the funds in the  
7028 account for payment of purses and prizes are not sufficient to  
7029 meet all purses and prizes to be awarded, those breeders and  
7030 owners not receiving payments have first call on any subsequent  
7031 receipts in that or any subsequent year.

7032 (h) If the department ~~division~~ finds that the Florida  
7033 Quarter Horse Breeders and Owners Association has not complied  
7034 with any provision of this section, the department ~~division~~ may  
7035 order the association to cease and desist from receiving funds  
7036 and administering funds received under this section and s.  
7037 550.2633. If the department ~~division~~ enters such an order, the  
7038 permitholder shall make the payments authorized in this section  
7039 and s. 550.2633 to the department ~~division~~ for deposit into the



7040 Pari-mutuel Wagering Trust Fund, and any funds in the Florida  
7041 Quarter Horse Breeders and Owners Association account shall be  
7042 immediately paid to the department ~~division~~ for deposit to the  
7043 Pari-mutuel Wagering Trust Fund. The department ~~division~~ shall  
7044 authorize payment from these funds to any breeder or owner of a  
7045 quarter horse entitled to an award that has not been previously  
7046 paid by the Florida Quarter Horse Breeders and Owners  
7047 Association in accordance with this section.

7048 (6)

7049 (e) This subsection governs owners' awards paid on  
7050 thoroughbred horse races only in this state, unless a written  
7051 agreement is filed with the department ~~division~~ establishing the  
7052 rate, procedures, and eligibility requirements for owners'  
7053 awards, including place of finish, class of race, maximum purse,  
7054 and maximum award, and the agreement is entered into by the  
7055 permitholder, the Florida Thoroughbred Breeders' Association,  
7056 and the association representing a majority of the racehorse  
7057 owners and trainers at the permitholder's location.

7058 (7) (a) Each permitholder that conducts race meets under  
7059 this chapter and runs Appaloosa races shall pay to the  
7060 department ~~division~~ a sum equal to the breaks plus a sum equal  
7061 to 1 percent of the total contributions to each pari-mutuel pool  
7062 conducted on each Appaloosa race. The payments shall be remitted  
7063 to the department ~~division~~ by the 5th day of each calendar month  
7064 for sums accruing during the preceding calendar month.

7065 (b) The department ~~division~~ shall deposit these

7066 collections to the credit of the General Inspection Trust Fund  
7067 in a special account to be known as the "Florida Appaloosa  
7068 Racing Promotion Account." The Department of Agriculture and  
7069 Consumer Services shall administer the funds and adopt suitable  
7070 and reasonable rules for the administration thereof. The moneys  
7071 in the Florida Appaloosa Racing Promotion Account shall be  
7072 allocated solely for supplementing and augmenting purses and  
7073 prizes and for the general promotion of owning and breeding of  
7074 racing Appaloosas in this state; and the moneys may not be used  
7075 to defray any expense of the Department of Agriculture and  
7076 Consumer Services in the administration of this chapter.

7077 (8) Each permitholder that conducts race meets under this  
7078 chapter and runs Arabian horse races shall pay to the department  
7079 ~~division~~ a sum equal to the breaks plus a sum equal to 1 percent  
7080 of the total contributions to each pari-mutuel pool conducted on  
7081 each Arabian horse race. The payments shall be remitted to the  
7082 department ~~division~~ by the 5th day of each calendar month for  
7083 sums accruing during the preceding calendar month.

7084 Section 99. Effective October 1, 2015, subsections (1),  
7085 (3), (5), (6), (8), (9), (10), and (11) of section 550.26352,  
7086 Florida Statutes, are amended to read:

7087 550.26352 Breeders' Cup Meet; pools authorized; conflicts;  
7088 taxes; credits; transmission of races; rules; application.—

7089 (1) Notwithstanding any provision of this chapter to the  
7090 contrary, there is hereby created a special thoroughbred race  
7091 meet which shall be designated as the "Breeders' Cup Meet." The

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7092 Breeders' Cup Meet shall be conducted at the facility of the  
7093 Florida permitholder selected by Breeders' Cup Limited to  
7094 conduct the Breeders' Cup Meet. The Breeders' Cup Meet shall  
7095 consist of 3 days: the day on which the Breeders' Cup races are  
7096 conducted, the preceding day, and the subsequent day. Upon the  
7097 selection of the Florida permitholder as host for the Breeders'  
7098 Cup Meet and application by the selected permitholder, the  
7099 department ~~division~~ shall issue a license to the selected  
7100 permitholder to operate the Breeders' Cup Meet. Notwithstanding  
7101 s. 550.09515(2)(a), the Breeders' Cup Meet may be conducted on  
7102 dates which the selected permitholder is not otherwise  
7103 authorized to conduct a race meet.

7104 (3) If the permitholder conducting the Breeders' Cup Meet  
7105 is located within 35 miles of one or more permitholders  
7106 scheduled to conduct a thoroughbred race meet on any of the 3  
7107 days of the Breeders' Cup Meet, then operation on any of those 3  
7108 days by the other permitholders is prohibited. As compensation  
7109 for the loss of racing days caused thereby, such operating  
7110 permitholders shall receive a credit against the taxes otherwise  
7111 due and payable to the state under ss. 550.0951 and 550.09515.  
7112 This credit shall be in an amount equal to the operating loss  
7113 determined to have been suffered by the operating permitholders  
7114 as a result of not operating on the prohibited racing days, but  
7115 shall not exceed a total of \$950,000. The determination of the  
7116 amount to be credited shall be made by the department ~~division~~  
7117 upon application by the operating permitholder. The tax credits

7118 provided in this subsection shall not be available unless an  
 7119 operating permitholder is required to close a bona fide meet  
 7120 consisting in part of no fewer than 10 scheduled performances in  
 7121 the 15 days immediately preceding or 10 scheduled performances  
 7122 in the 15 days immediately following the Breeders' Cup Meet.  
 7123 Such tax credit shall be in lieu of any other compensation or  
 7124 consideration for the loss of racing days. There shall be no  
 7125 replacement or makeup of any lost racing days.

7126 (5) The permitholder conducting the Breeders' Cup Meet  
 7127 shall receive a credit against the taxes otherwise due and  
 7128 payable to the state under ss. 550.0951 and 550.09515 generated  
 7129 during said permitholder's next ensuing regular thoroughbred  
 7130 race meet. This credit shall be in an amount not to exceed  
 7131 \$950,000 and shall be used ~~utilized~~ by the permitholder to pay  
 7132 the purses offered by the permitholder during the Breeders' Cup  
 7133 Meet in excess of the purses which the permitholder is otherwise  
 7134 required by law to pay. The amount to be credited shall be  
 7135 determined by the department ~~division~~ upon application of the  
 7136 permitholder which is subject to audit by the department  
 7137 ~~division~~.

7138 (6) The permitholder conducting the Breeders' Cup Meet  
 7139 shall receive a credit against the taxes otherwise due and  
 7140 payable to the state under ss. 550.0951 and 550.09515 generated  
 7141 during said permitholder's next ensuing regular thoroughbred  
 7142 race meet. This credit shall be in an amount not to exceed  
 7143 \$950,000 and shall be used ~~utilized~~ by the permitholder for such

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7144 capital improvements and extraordinary expenses as may be  
7145 necessary for operation of the Breeders' Cup Meet. The amount to  
7146 be credited shall be determined by the department ~~division~~ upon  
7147 application of the permitholder which is subject to audit by the  
7148 department ~~division~~.

7149 (8) (a) Pursuant to s. 550.3551(2), the permitholder  
7150 conducting the Breeders' Cup Meet is authorized to transmit  
7151 broadcasts of the races conducted during the Breeders' Cup Meet  
7152 to locations outside of this state for wagering purposes. The  
7153 department ~~division~~ may approve broadcasts to pari-mutuel  
7154 permitholders and other betting systems authorized under the  
7155 laws of any other state or country. Wagers accepted by any out-  
7156 of-state pari-mutuel permitholder or betting system on any races  
7157 broadcast under this section may be, but are not required to be,  
7158 commingled with the pari-mutuel pools of the permitholder  
7159 conducting the Breeders' Cup Meet. The calculation of any payoff  
7160 on national pari-mutuel pools with commingled wagers may be  
7161 performed by the permitholder's totalisator contractor at a  
7162 location outside of this state. Pool amounts from wagers placed  
7163 at pari-mutuel facilities or other betting systems in foreign  
7164 countries before being commingled with the pari-mutuel pool of  
7165 the Florida permitholder conducting the Breeders' Cup Meet shall  
7166 be calculated by the totalisator contractor and transferred to  
7167 the commingled pool in United States currency in cycles  
7168 customarily used by the permitholder. Pool amounts from wagers  
7169 placed at any foreign pari-mutuel facility or other betting

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7170 system shall not be commingled with a Florida pool until a  
7171 determination is made by the department ~~division~~ that the  
7172 technology used ~~utilized~~ by the totalisator contractor is  
7173 adequate to assure commingled pools will result in the  
7174 calculation of accurate payoffs to Florida bettors. Any  
7175 totalisator contractor at a location outside of this state shall  
7176 comply with the provisions of s. 550.495 relating to totalisator  
7177 licensing.

7178 (b) The permitholder conducting the Breeders' Cup Meet is  
7179 authorized to transmit broadcasts of the races conducted during  
7180 the Breeders' Cup Meet to other pari-mutuel facilities located  
7181 in this state for wagering purposes; however, the permitholder  
7182 conducting the Breeders' Cup Meet shall not be required to  
7183 transmit broadcasts to any pari-mutuel facility located within  
7184 25 miles of the facility at which the Breeders' Cup Meet is  
7185 conducted.

7186 (9) The exemption from the tax credits provided in  
7187 subsections (5) and (6) shall not be granted and shall not be  
7188 claimed by the permitholder until an audit is completed by the  
7189 department ~~division~~. The department ~~division~~ is required to  
7190 complete the audit within 30 days of receipt of the necessary  
7191 documentation from the permitholder to verify the permitholder's  
7192 claim for tax credits. If the documentation submitted by the  
7193 permitholder is incomplete or is insufficient to document the  
7194 permitholder's claim for tax credits, the department ~~division~~  
7195 may request such additional documentation as is necessary to

7196 complete the audit. Upon receipt of the department's ~~division's~~  
 7197 written request for additional documentation, the 30-day time  
 7198 limitation will commence anew.

7199 (10) The department ~~division~~ is authorized to adopt such  
 7200 rules as are necessary to facilitate the conduct of the  
 7201 Breeders' Cup Meet as authorized in this section. Included  
 7202 within this grant of authority shall be the adoption or waiver  
 7203 of rules regarding the overall conduct of racing during the  
 7204 Breeders' Cup Meet so as to ensure the integrity of the races,  
 7205 licensing for all participants, special stabling and training  
 7206 requirements for foreign horses, commingling of pari-mutuel  
 7207 pools, and audit requirements for tax credits and other  
 7208 benefits.

7209 (11) Any dispute between the department ~~division~~ and any  
 7210 permitholder regarding the tax credits authorized under  
 7211 subsection (3), subsection (5), or subsection (6) shall be  
 7212 determined by a hearing officer of the Division of  
 7213 Administrative Hearings under the provisions of s. 120.57(1).

7214 Section 100. Effective October 1, 2015, subsections (1),  
 7215 (5), (6), and (8) of section 550.2704, Florida Statutes, are  
 7216 amended to read:

7217 550.2704 Jai Alai Tournament of Champions Meet.—

7218 (1) Notwithstanding any provision of this chapter, there  
 7219 is hereby created a special jai alai meet which shall be  
 7220 designated as the "Jai Alai Tournament of Champions Meet" and  
 7221 which shall be hosted by the Florida jai alai permitholders

7222 selected by the National Association of Jai Alai Frontons, Inc.,  
 7223 to conduct such meet. The meet shall consist of three qualifying  
 7224 performances and a final performance, each of which is to be  
 7225 conducted on different days. Upon the selection of the Florida  
 7226 permitholders for the meet, and upon application by the selected  
 7227 permitholders, the Department of Gaming Control ~~Division of~~  
 7228 ~~Pari-mutuel Wagering~~ shall issue a license to each of the  
 7229 selected permitholders to operate the meet. The meet may be  
 7230 conducted during a season in which the permitholders selected to  
 7231 conduct the meet are not otherwise authorized to conduct a meet.  
 7232 Notwithstanding anything herein to the contrary, any Florida  
 7233 permitholder who is to conduct a performance which is a part of  
 7234 the Jai Alai Tournament of Champions Meet shall not be required  
 7235 to apply for the license for said meet if it is to be run during  
 7236 the regular season for which such permitholder has a license.

7237 (5) In addition to the credit authorized in subsection  
 7238 (4), the Jai Alai Tournament of Champions Meet permitholders  
 7239 shall receive a credit against the taxes, otherwise due and  
 7240 payable under s. 550.0951 or s. 550.09511, generated during said  
 7241 permitholders' current regular meet, in an amount not to exceed  
 7242 the aggregate amount of \$150,000, which shall be prorated  
 7243 equally between the permitholders, and shall be used ~~utilized~~ by  
 7244 the permitholders for such capital improvements and  
 7245 extraordinary expenses, including marketing expenses, as may be  
 7246 necessary for the operation of the meet. The determination of  
 7247 the amount to be credited shall be made by the department



7248 ~~division~~ upon application of said permitholders.

7249 (6) The permitholder shall be entitled to said  
 7250 permitholder's pro rata share of the \$150,000 tax credit  
 7251 provided in subsection (5) without having to make application,  
 7252 so long as appropriate documentation to substantiate said  
 7253 expenditures thereunder is provided to the department ~~division~~  
 7254 within 30 days following said Jai Alai Tournament of Champions  
 7255 Meet.

7256 (8) The department ~~division~~ is authorized to adopt such  
 7257 rules as are necessary to facilitate the conduct of the Jai Alai  
 7258 Tournament of Champions Meet as authorized in this section.  
 7259 Included within this grant of authority shall be the adoption of  
 7260 rules regarding the overall conduct of the tournament so as to  
 7261 ensure the integrity of the event, licensing for participants,  
 7262 commingling of pari-mutuel pools, and audit requirements for tax  
 7263 credits and exemptions.

7264 Section 101. Effective October 1, 2015, subsections (3)  
 7265 and (5) of section 550.334, Florida Statutes, are amended to  
 7266 read:

7267 550.334 Quarter horse racing; substitutions.—

7268 (3) Quarter horses participating in such races must be  
 7269 duly registered by the American Quarter Horse Association, and  
 7270 before each race such horses must be examined and declared in  
 7271 fit condition by a qualified person designated by the department  
 7272 ~~division~~.

7273 (5) Any quarter horse racing permitholder operating under

7274 a valid permit issued by the department ~~division~~ is authorized  
 7275 to substitute races of other breeds of horses which are,  
 7276 respectively, registered with the American Paint Horse  
 7277 Association, Appaloosa Horse Club, Arabian Horse Registry of  
 7278 America, Palomino Horse Breeders of America, United States  
 7279 Trotting Association, Florida Cracker Horse Association, or  
 7280 Jockey Club for no more than 50 percent of the quarter horse  
 7281 races during its meet.

7282 Section 102. Effective October 1, 2015, subsection (2) of  
 7283 section 550.3345, Florida Statutes, is amended to read:

7284 550.3345 Conversion of quarter horse permit to a limited  
 7285 thoroughbred permit.—

7286 (2) Notwithstanding any other provision of law, the holder  
 7287 of a quarter horse racing permit issued under s. 550.334 may,  
 7288 within 1 year after the effective date of this section, apply to  
 7289 the department ~~division~~ for a transfer of the quarter horse  
 7290 racing permit to a not-for-profit corporation formed under state  
 7291 law to serve the purposes of the state as provided in subsection  
 7292 (1). The board of directors of the not-for-profit corporation  
 7293 must be comprised of 11 members, 4 of whom shall be designated  
 7294 by the applicant, 4 of whom shall be designated by the Florida  
 7295 Thoroughbred Breeders' Association, and 3 of whom shall be  
 7296 designated by the other 8 directors, with at least 1 of these 3  
 7297 members being an authorized representative of another  
 7298 thoroughbred racing permitholder in this state. The not-for-  
 7299 profit corporation shall submit an application to the department

7300 ~~division~~ for review and approval of the transfer in accordance  
 7301 with s. 550.054. Upon approval of the transfer by the department  
 7302 ~~division~~, and notwithstanding any other provision of law to the  
 7303 contrary, the not-for-profit corporation may, within 1 year  
 7304 after its receipt of the permit, request that the department  
 7305 ~~division~~ convert the quarter horse racing permit to a permit  
 7306 authorizing the holder to conduct pari-mutuel wagering meets of  
 7307 thoroughbred racing. Neither the transfer of the quarter horse  
 7308 racing permit nor its conversion to a limited thoroughbred  
 7309 permit shall be subject to the mileage limitation or the  
 7310 ratification election as set forth under s. 550.054(2) or s.  
 7311 550.0651. Upon receipt of the request for such conversion, the  
 7312 department ~~division~~ shall timely issue a converted permit. The  
 7313 converted permit and the not-for-profit corporation shall be  
 7314 subject to the following requirements:

7315 (a) All net revenues derived by the not-for-profit  
 7316 corporation under the thoroughbred horse racing permit, after  
 7317 the funding of operating expenses and capital improvements,  
 7318 shall be dedicated to the enhancement of thoroughbred purses and  
 7319 breeders', stallion, and special racing awards under this  
 7320 chapter; the general promotion of the thoroughbred horse  
 7321 breeding industry; and the care in this state of thoroughbred  
 7322 horses retired from racing.

7323 (b) From December 1 through April 30, no live thoroughbred  
 7324 racing may be conducted under the permit on any day during which  
 7325 another thoroughbred racing permitholder is conducting live

7326 thoroughbred racing within 125 air miles of the not-for-profit  
7327 corporation's pari-mutuel facility unless the other thoroughbred  
7328 racing permitholder gives its written consent.

7329 (c) After the conversion of the quarter horse racing  
7330 permit and the issuance of its initial license to conduct pari-  
7331 mutuel wagering meets of thoroughbred racing, the not-for-profit  
7332 corporation shall annually apply to the department ~~division~~ for  
7333 a license pursuant to s. 550.5251.

7334 (d) Racing under the permit may take place only at the  
7335 location for which the original quarter horse racing permit was  
7336 issued, which may be leased by the not-for-profit corporation  
7337 for that purpose; however, the not-for-profit corporation may,  
7338 without the conduct of any ratification election pursuant to s.  
7339 550.054(13) or s. 550.0651, move the location of the permit to  
7340 another location in the same county provided that such  
7341 relocation is approved under the zoning and land use regulations  
7342 of the applicable county or municipality.

7343 (e) No permit converted under this section is eligible for  
7344 transfer to another person or entity.

7345 Section 103. Effective October 1, 2015, section 550.3355,  
7346 Florida Statutes, is amended to read:

7347 550.3355 Harness track licenses for summer quarter horse  
7348 racing.—Any harness track licensed to operate under the  
7349 provisions of s. 550.375 may make application for, and shall be  
7350 issued by the department ~~division~~, a license to operate not more  
7351 than 50 quarter horse racing days during the summer season,

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7352 which shall extend from July 1 until October 1 of each year.  
7353 However, this license to operate quarter horse racing for 50  
7354 days is in addition to the racing days and dates provided in s.  
7355 550.375 for harness racing during the winter seasons; and, it  
7356 does not affect the right of such licensee to operate harness  
7357 racing at the track as provided in s. 550.375 during the winter  
7358 season. All provisions of this chapter governing quarter horse  
7359 racing not in conflict herewith apply to the operation of  
7360 quarter horse meetings authorized hereunder, except that all  
7361 quarter horse racing permitted hereunder shall be conducted at  
7362 night.

7363 Section 104. Effective October 1, 2015, subsections (3),  
7364 (4), and (5) of section 550.3615, Florida Statutes, are amended  
7365 to read:

7366 550.3615 Bookmaking on the grounds of a permitholder;  
7367 penalties; reinstatement; duties of track employees; penalty;  
7368 exceptions.—

7369 (3) Any person who has been convicted of bookmaking in  
7370 this state or any other state of the United States or any  
7371 foreign country shall be denied admittance to and shall not  
7372 attend any racetrack or fronton in this state during its racing  
7373 seasons or operating dates, including any practice or  
7374 preparational days, for a period of 2 years after the date of  
7375 conviction or the date of final appeal. Following the conclusion  
7376 of the period of ineligibility, the director of the department  
7377 ~~division~~ may authorize the reinstatement of an individual

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7378 following a hearing on readmittance. Any such person who  
7379 knowingly violates this subsection is guilty of a misdemeanor of  
7380 the first degree, punishable as provided in s. 775.082 or s.  
7381 775.083.

7382 (4) If the activities of a person show that this law is  
7383 being violated, and such activities are either witnessed or are  
7384 common knowledge by any track or fronton employee, it is the  
7385 duty of that employee to bring the matter to the immediate  
7386 attention of the permitholder, manager, or her or his designee,  
7387 who shall notify a law enforcement agency having jurisdiction.  
7388 Willful failure on the part of any track or fronton employee to  
7389 comply with the provisions of this subsection is a ground for  
7390 the department ~~division~~ to suspend or revoke that employee's  
7391 license for track or fronton employment.

7392 (5) Each permittee shall display, in conspicuous places at  
7393 a track or fronton and in all race and jai alai daily programs,  
7394 a warning to all patrons concerning the prohibition and  
7395 penalties of bookmaking contained in this section and s. 849.25.  
7396 The department ~~division~~ shall adopt rules concerning the uniform  
7397 size of all warnings and the number of placements throughout a  
7398 track or fronton. Failure on the part of the permittee to  
7399 display such warnings may result in the imposition of a \$500  
7400 fine by the department ~~division~~ for each offense.

7401 Section 105. Effective October 1, 2015, subsections (2),  
7402 (3), and (4) of section 550.375, Florida Statutes, are amended  
7403 to read:

7404           550.375 Operation of certain harness tracks.—

7405           (2) Any permittee or licensee authorized under this

7406 section to transfer the location of its permit may conduct

7407 harness racing only between the hours of 7 p.m. and 2 a.m. A

7408 permit so transferred applies only to the locations provided in

7409 this section. The provisions of this chapter which prohibit the

7410 location and operation of a licensed harness track permittee and

7411 licensee within 100 air miles of the location of a racetrack

7412 authorized to conduct racing under this chapter and which

7413 prohibit the department ~~division~~ from granting any permit to a

7414 harness track at a location in the area in which there are three

7415 horse tracks located within 100 air miles thereof do not apply

7416 to a licensed harness track that is required by the terms of

7417 this section to race between the hours of 7 p.m. and 2 a.m.

7418           (3) A permit may not be issued by the department ~~division~~

7419 for the operation of a harness track within 75 air miles of a

7420 location of a harness track licensed and operating under this

7421 chapter.

7422           (4) The permitholder conducting a harness horse race meet

7423 must pay the daily license fee, the admission tax, the tax on

7424 breaks, and the tax on pari-mutuel handle provided in s.

7425 550.0951 and is subject to all penalties and sanctions provided

7426 in s. 550.0951(7) ~~550.0951(6)~~.

7427           Section 106. Effective October 1, 2015, section 550.495,

7428 Florida Statutes, is amended to read:

7429           550.495 Totalisator licensing.—

7430 (1) A totalisator may not be operated at a pari-mutuel  
7431 facility in this state, or at a facility located in or out of  
7432 this state which is used as the primary totalisator for a race  
7433 or game conducted in this state, unless the totalisator company  
7434 possesses a business license issued by the department ~~division~~.

7435 (2) (a) Each totalisator company must apply to the  
7436 department ~~division~~ for an annual business license. The  
7437 application must include such information as the department  
7438 ~~division~~ by rule requires.

7439 (b) As a part of its license application, each totalisator  
7440 company must agree in writing to pay to the department ~~division~~  
7441 an amount equal to the loss of any state revenues from missed or  
7442 canceled races, games, or performances due to acts of the  
7443 totalisator company or its agents or employees or failures of  
7444 the totalisator system, except for circumstances beyond the  
7445 control of the totalisator company or agent or employee, as  
7446 determined by the department ~~division~~.

7447 (c) Each totalisator company must file with the department  
7448 ~~division~~ a performance bond, acceptable to the department  
7449 ~~division~~, in the sum of \$250,000 issued by a surety approved by  
7450 the department ~~division~~ or must file proof of insurance,  
7451 acceptable to the department ~~division~~, against financial loss in  
7452 the amount of \$250,000, insuring the state against such a  
7453 revenue loss.

7454 (d) In the event of a loss of state tax revenues, the  
7455 department ~~division~~ shall determine:



7456 1. The estimated revenue lost as a result of missed or  
7457 canceled races, games, or performances;

7458 2. The number of races, games, or performances which is  
7459 practicable for the permitholder to conduct in an attempt to  
7460 mitigate the revenue loss; and

7461 3. The amount of the revenue loss which the makeup races,  
7462 games, or performances will not recover and for which the  
7463 totalisator company is liable.

7464 (e) Upon the making of such determinations, the department  
7465 ~~division~~ shall issue to the totalisator company and to the  
7466 affected permitholder an order setting forth the determinations  
7467 of the department ~~division~~.

7468 (f) If the order is contested by either the totalisator  
7469 company or any affected permitholder, the provisions of chapter  
7470 120 apply. If the totalisator company contests the order on the  
7471 grounds that the revenue loss was due to circumstances beyond  
7472 its control, the totalisator company has the burden of proving  
7473 that circumstances vary in fact beyond its control. For purposes  
7474 of this paragraph, strikes and acts of God are beyond the  
7475 control of the totalisator company.

7476 (g) Upon the failure of the totalisator company to make  
7477 the payment found to be due the state, the department ~~division~~  
7478 may cause the forfeiture of the bond or may proceed against the  
7479 insurance contract, and the proceeds of the bond or contract  
7480 shall be deposited into the Pari-mutuel Wagering Trust Fund. If  
7481 that bond was not posted or insurance obtained, the department

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7482 ~~division~~ may proceed against any assets of the totalisator  
7483 company to collect the amounts due under this subsection.

7484 (3) If the applicant meets the requirements of this  
7485 section and department ~~division~~ rules and pays the license fee,  
7486 the department ~~division~~ shall issue the license.

7487 (4) Each totalisator company shall conduct operations in  
7488 accordance with rules adopted by the department ~~division~~, in  
7489 such form, content, and frequency as the department ~~division~~ by  
7490 rule determines.

7491 (5) The department ~~division~~ and its representatives may  
7492 enter and inspect any area of the premises of a licensed  
7493 totalisator company, and may examine totalisator records, during  
7494 the licensee's regular business or operating hours.

7495 Section 107. Effective October 1, 2015, section 550.505,  
7496 Florida Statutes, is amended to read:

7497 550.505 Nonwagering permits.—

7498 (1) (a) Except as provided in this section, permits and  
7499 licenses issued by the department ~~division~~ are intended to be  
7500 used for pari-mutuel wagering operations in conjunction with  
7501 horseraces, dograces, or jai alai performances.

7502 (b) Subject to the requirements of this section, the  
7503 department ~~division~~ is authorized to issue permits for the  
7504 conduct of horseracing meets without pari-mutuel wagering or any  
7505 other form of wagering being conducted in conjunction therewith.  
7506 Such permits shall be known as nonwagering permits and may be  
7507 issued only for horseracing meets. A horseracing permitholder

7508 need not obtain an additional permit from the department  
7509 ~~division~~ for conducting nonwagering racing under this section,  
7510 but must apply to the department ~~division~~ for the issuance of a  
7511 license under this section. The holder of a nonwagering permit  
7512 is prohibited from conducting pari-mutuel wagering or any other  
7513 form of wagering in conjunction with racing conducted under the  
7514 permit. Nothing in this subsection prohibits horseracing for any  
7515 stake, purse, prize, or premium.

7516 (c) The holder of a nonwagering permit is exempt from the  
7517 provisions of s. 550.105 and is exempt from the imposition of  
7518 daily license fees and admission tax.

7519 (2) (a) Any person not prohibited from holding any type of  
7520 pari-mutuel permit under s. 550.1815 shall be allowed to apply  
7521 to the department ~~division~~ for a nonwagering permit. The  
7522 applicant must demonstrate that the location or locations where  
7523 the nonwagering permit will be used are available for such use  
7524 and that the applicant has the financial ability to satisfy the  
7525 reasonably anticipated operational expenses of the first racing  
7526 year following final issuance of the nonwagering permit. If the  
7527 racing facility is already built, the application must contain a  
7528 statement, with reasonable supporting evidence, that the  
7529 nonwagering permit will be used for horseracing within 1 year  
7530 after the date on which it is granted. If the facility is not  
7531 already built, the application must contain a statement, with  
7532 reasonable supporting evidence, that substantial construction  
7533 will be started within 1 year after the issuance of the

7534 nonwagering permit.

7535 (b) The department ~~division~~ may conduct an eligibility  
7536 investigation to determine if the applicant meets the  
7537 requirements of paragraph (a).

7538 (3) (a) Upon receipt of a nonwagering permit, the  
7539 permitholder must apply to the department ~~division~~ before June 1  
7540 of each year for an annual nonwagering license for the next  
7541 succeeding calendar year. Such application must set forth the  
7542 days and locations at which the permitholder will conduct  
7543 nonwagering horseracing and must indicate any changes in  
7544 ownership or management of the permitholder occurring since the  
7545 date of application for the prior license.

7546 (b) On or before August 1 of each year, the department  
7547 ~~division~~ shall issue a license authorizing the nonwagering  
7548 permitholder to conduct nonwagering horseracing during the  
7549 succeeding calendar year during the period and for the number of  
7550 days set forth in the application, subject to all other  
7551 provisions of this section.

7552 (c) The department ~~division~~ may conduct an eligibility  
7553 investigation to determine the qualifications of any new  
7554 ownership or management interest in the permit.

7555 (4) Upon the approval of racing dates by the department  
7556 ~~division~~, the department ~~division~~ shall issue an annual  
7557 nonwagering license to the nonwagering permitholder.

7558 (5) Only horses registered with an established breed  
7559 registration organization, which organization shall be approved

7560 by the department ~~division~~, shall be raced at any race meeting  
7561 authorized by this section.

7562 (6) The department ~~division~~ may order any person  
7563 participating in a nonwagering meet to cease and desist from  
7564 participating in such meet if the department ~~division~~ determines  
7565 the person to be not of good moral character in accordance with  
7566 s. 550.1815. The department ~~division~~ may order the operators of  
7567 a nonwagering meet to cease and desist from operating the meet  
7568 if the department ~~division~~ determines the meet is being operated  
7569 for any illegal purpose.

7570 Section 108. Effective October 1, 2015, subsection (1) of  
7571 section 550.5251, Florida Statutes, is amended to read:

7572 550.5251 Florida thoroughbred racing; certain permits;  
7573 operating days.—

7574 (1) Each thoroughbred racing permitholder shall annually,  
7575 during the period commencing December 15 of each year and ending  
7576 January 4 of the following year, file in writing with the  
7577 department ~~division~~ its application to conduct one or more  
7578 thoroughbred racing meetings during the thoroughbred racing  
7579 season commencing on the following July 1. Each application  
7580 shall specify the number and dates of all performances that the  
7581 permitholder intends to conduct during that thoroughbred racing  
7582 season. On or before March 15 of each year, the department  
7583 ~~division~~ shall issue a license authorizing each permitholder to  
7584 conduct performances on the dates specified in its application.  
7585 Up to February 28 of each year, each permitholder may request

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7586 and shall be granted changes in its authorized performances; but  
7587 thereafter, as a condition precedent to the validity of its  
7588 license and its right to retain its permit, each permitholder  
7589 must operate the full number of days authorized on each of the  
7590 dates set forth in its license.

7591 Section 109. Effective October 1, 2015, subsection (3) of  
7592 section 550.625, Florida Statutes, is amended to read:

7593 550.625 Intertrack wagering; purses; breeders' awards.—If  
7594 a host track is a horse track:

7595 (3) The payment to a breeders' organization shall be  
7596 combined with any other amounts received by the respective  
7597 breeders' and owners' associations as so designated. Each  
7598 breeders' and owners' association receiving these funds shall be  
7599 allowed to withhold the same percentage as set forth in s.  
7600 550.2625 to be used for administering the payment of awards and  
7601 for the general promotion of their respective industries. If the  
7602 total combined amount received for thoroughbred breeders' awards  
7603 exceeds 15 percent of the purse required to be paid under  
7604 subsection (1), the breeders' and owners' association, as so  
7605 designated, notwithstanding any other provision of law, shall  
7606 submit a plan to the department ~~division~~ for approval which  
7607 would use the excess funds in promoting the breeding industry by  
7608 increasing the purse structure for Florida-breds. Preference  
7609 shall be given to the track generating such excess.

7610 Section 110. Effective October 1, 2015, subsection (2) of  
7611 section 550.70, Florida Statutes, is amended to read:

7612           550.70 Jai alai general provisions; chief court judges  
 7613 required; extension of time to construct fronton; amateur jai  
 7614 alai contests permitted under certain conditions; playing days'  
 7615 limitations; locking of pari-mutuel machines.—

7616           (2) The time within which the holder of a ratified permit  
 7617 for jai alai or pelota has to construct and complete a fronton  
 7618 may be extended by the department ~~division~~ for a period of 24  
 7619 months after the date of the issuance of the permit, anything to  
 7620 the contrary in any statute notwithstanding.

7621           Section 111. Effective October 1, 2015, subsections (1),  
 7622 (2), (4) and (5) of section 551.103, Florida Statutes, are  
 7623 amended to read:

7624           551.103 Powers and duties of the department ~~division~~ and  
 7625 law enforcement.—

7626           (1) The department ~~division~~ shall adopt, pursuant to the  
 7627 provisions of ss. 120.536(1) and 120.54, all rules necessary to  
 7628 implement, administer, and regulate slot machine gaming as  
 7629 authorized in this chapter. Such rules must include:

7630           (a) Procedures for applying for a slot machine license and  
 7631 renewal of a slot machine license.

7632           (b) Technical requirements and the qualifications  
 7633 contained in this chapter that are necessary to receive a slot  
 7634 machine license or slot machine occupational license.

7635           (c) Procedures to scientifically test and technically  
 7636 evaluate slot machines for compliance with this chapter. The  
 7637 department ~~division~~ may contract with an independent testing

7638 laboratory to conduct any necessary testing under this section.  
7639 The independent testing laboratory must have a national  
7640 reputation which is demonstrably competent and qualified to  
7641 scientifically test and evaluate slot machines for compliance  
7642 with this chapter and to otherwise perform the functions  
7643 assigned to it in this chapter. An independent testing  
7644 laboratory shall not be owned or controlled by a licensee. The  
7645 use of an independent testing laboratory for any purpose related  
7646 to the conduct of slot machine gaming by a licensee under this  
7647 chapter shall be made from a list of one or more laboratories  
7648 approved by the department ~~division~~.

7649 (d) Procedures relating to slot machine revenues,  
7650 including verifying and accounting for such revenues, auditing,  
7651 and collecting taxes and fees consistent with this chapter.

7652 (e) Procedures for regulating, managing, and auditing the  
7653 operation, financial data, and program information relating to  
7654 slot machine gaming that allow the department ~~division~~ and the  
7655 Department of Law Enforcement to audit the operation, financial  
7656 data, and program information of a slot machine licensee, as  
7657 required by the department ~~division~~ or the Department of Law  
7658 Enforcement, and provide the department ~~division~~ and the  
7659 Department of Law Enforcement with the ability to monitor, at  
7660 any time on a real-time basis, wagering patterns, payouts, tax  
7661 collection, and compliance with any rules adopted by the  
7662 department ~~division~~ for the regulation and control of slot  
7663 machines operated under this chapter. Such continuous and



7664 complete access, at any time on a real-time basis, shall include  
7665 the ability of either the department ~~division~~ or the Department  
7666 of Law Enforcement to suspend play immediately on particular  
7667 slot machines if monitoring of the facilities-based computer  
7668 system indicates possible tampering or manipulation of those  
7669 slot machines or the ability to suspend play immediately of the  
7670 entire operation if the tampering or manipulation is of the  
7671 computer system itself. The department ~~division~~ shall notify the  
7672 Department of Law Enforcement or the Department of Law  
7673 Enforcement shall notify the department ~~division~~, as  
7674 appropriate, whenever there is a suspension of play under this  
7675 paragraph. The department ~~division~~ and the Department of Law  
7676 Enforcement shall exchange such information necessary for and  
7677 cooperate in the investigation of the circumstances requiring  
7678 suspension of play under this paragraph.

7679 (f) Procedures for requiring each licensee at his or her  
7680 own cost and expense to supply the department ~~division~~ with a  
7681 bond having the penal sum of \$2 million payable to the Governor  
7682 and his or her successors in office for each year of the  
7683 licensee's slot machine operations. Any bond shall be issued by  
7684 a surety or sureties approved by the department ~~division~~ and the  
7685 Chief Financial Officer, conditioned to faithfully make the  
7686 payments to the Chief Financial Officer in his or her capacity  
7687 as treasurer of the department ~~division~~. The licensee shall be  
7688 required to keep its books and records and make reports as  
7689 provided in this chapter and to conduct its slot machine

7690 operations in conformity with this chapter and all other  
7691 provisions of law. Such bond shall be separate and distinct from  
7692 the bond required in s. 550.125.

7693 (g) Procedures for requiring licensees to maintain  
7694 specified records and submit any data, information, record, or  
7695 report, including financial and income records, required by this  
7696 chapter or determined by the department ~~division~~ to be necessary  
7697 to the proper implementation and enforcement of this chapter.

7698 (h) A requirement that the payout percentage of a slot  
7699 machine be no less than 85 percent.

7700 (i) Minimum standards for security of the facilities,  
7701 including floor plans, security cameras, and other security  
7702 equipment.

7703 (j) Procedures for requiring slot machine licensees to  
7704 implement and establish drug-testing programs for all slot  
7705 machine occupational licensees.

7706 (2) The department ~~division~~ shall conduct such  
7707 investigations necessary to fulfill its responsibilities under  
7708 the provisions of this chapter.

7709 (4) (a) The department ~~division~~, the Department of Law  
7710 Enforcement, and local law enforcement agencies shall have  
7711 unrestricted access to the slot machine licensee's facility at  
7712 all times and shall require of each slot machine licensee strict  
7713 compliance with the laws of this state relating to the  
7714 transaction of such business. The department ~~division~~, the  
7715 Department of Law Enforcement, and local law enforcement

7716 agencies may:

7717 1. Inspect and examine premises where slot machines are  
7718 offered for play.

7719 2. Inspect slot machines and related equipment and  
7720 supplies.

7721 (b) In addition, the department ~~division~~ may:

7722 1. Collect taxes, assessments, fees, and penalties.

7723 2. Deny, revoke, suspend, or place conditions on the  
7724 license of a person who violates any provision of this chapter  
7725 or rule adopted pursuant thereto.

7726 (5) The department ~~division~~ shall revoke or suspend the  
7727 license of any person who is no longer qualified or who is  
7728 found, after receiving a license, to have been unqualified at  
7729 the time of application for the license.

7730 Section 112. Effective October 1, 2015, subsection (1) of  
7731 section 551.1045, Florida Statutes, is amended to read:

7732 551.1045 Temporary licenses.—

7733 (1) Notwithstanding any provision of s. 120.60 to the  
7734 contrary, the department ~~division~~ may issue a temporary  
7735 occupational license upon the receipt of a complete application  
7736 from the applicant and a determination that the applicant has  
7737 not been convicted of or had adjudication withheld on any  
7738 disqualifying criminal offense. The temporary occupational  
7739 license remains valid until such time as the department ~~division~~  
7740 grants an occupational license or notifies the applicant of its  
7741 intended decision to deny the applicant a license pursuant to

7742 the provisions of s. 120.60. The department ~~division~~ shall adopt  
 7743 rules to administer this subsection. However, not more than one  
 7744 temporary license may be issued for any person in any year.

7745 Section 113. Effective October 1, 2015, subsection (3) of  
 7746 section 551.105, Florida Statutes, is amended to read:

7747 551.105 Slot machine license renewal.—

7748 (3) Upon determination by the department ~~division~~ that the  
 7749 application for renewal is complete and qualifications have been  
 7750 met, including payment of the renewal fee, the slot machine  
 7751 license shall be renewed annually.

7752 Section 114. Effective October 1, 2015, subsection (1),  
 7753 paragraph (b) of subsection (2), and subsections (3), (4), and  
 7754 (5) of section 551.106, Florida Statutes, are amended to read:

7755 551.106 License fee; tax rate; penalties.—

7756 (1) LICENSE FEE.—

7757 (a) Upon submission of the initial application for a slot  
 7758 machine license and annually thereafter, on the anniversary date  
 7759 of the issuance of the initial license, the licensee must pay to  
 7760 the department ~~division~~ a nonrefundable license fee of \$3  
 7761 million for the succeeding 12 months of licensure. In the 2010-  
 7762 2011 fiscal year, the licensee must pay the department ~~division~~  
 7763 a nonrefundable license fee of \$2.5 million for the succeeding  
 7764 12 months of licensure. In the 2011-2012 fiscal year and for  
 7765 every fiscal year thereafter, the licensee must pay the  
 7766 department ~~division~~ a nonrefundable license fee of \$2 million  
 7767 for the succeeding 12 months of licensure. The license fee shall

7768 be deposited into the Pari-mutuel Wagering Trust Fund of the  
 7769 Department of Business and Professional Regulation to be used by  
 7770 the department ~~division~~ and the Department of Law Enforcement  
 7771 for investigations, regulation of slot machine gaming, and  
 7772 enforcement of slot machine gaming provisions under this  
 7773 chapter. These payments shall be accounted for separately from  
 7774 taxes or fees paid pursuant to the provisions of chapter 550.

7775 (b) Before ~~Prior to~~ January 1, 2007, the department  
 7776 ~~division~~ shall evaluate the license fee and shall make  
 7777 recommendations to the President of the Senate and the Speaker  
 7778 of the House of Representatives regarding the optimum level of  
 7779 slot machine license fees in order to adequately support the  
 7780 slot machine regulatory program.

7781 (2) TAX ON SLOT MACHINE REVENUES.—

7782 (b) The slot machine revenue tax imposed by this section  
 7783 shall be paid to the department ~~division~~ for deposit into the  
 7784 Pari-mutuel Wagering Trust Fund for immediate transfer by the  
 7785 Chief Financial Officer for deposit into the Educational  
 7786 Enhancement Trust Fund of the Department of Education. Any  
 7787 interest earnings on the tax revenues shall also be transferred  
 7788 to the Educational Enhancement Trust Fund.

7789 (3) PAYMENT AND DISPOSITION OF TAXES.—Payment for the tax  
 7790 on slot machine revenues imposed by this section shall be paid  
 7791 to the department ~~division~~. The department ~~division~~ shall  
 7792 deposit these sums with the Chief Financial Officer, to the  
 7793 credit of the Pari-mutuel Wagering Trust Fund. The slot machine

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7794 licensee shall remit to the department ~~division~~ payment for the  
7795 tax on slot machine revenues. Such payments shall be remitted by  
7796 3 p.m. Wednesday of each week for taxes imposed and collected  
7797 for the preceding week ending on Sunday. Beginning on July 1,  
7798 2012, the slot machine licensee shall remit to the department  
7799 ~~division~~ payment for the tax on slot machine revenues by 3 p.m.  
7800 on the 5th day of each calendar month for taxes imposed and  
7801 collected for the preceding calendar month. If the 5th day of  
7802 the calendar month falls on a weekend, payments shall be  
7803 remitted by 3 p.m. the first Monday following the weekend. The  
7804 slot machine licensee shall file a report under oath by the 5th  
7805 day of each calendar month for all taxes remitted during the  
7806 preceding calendar month. Such payments shall be accompanied by  
7807 a report under oath showing all slot machine gaming activities  
7808 for the preceding calendar month and such other information as  
7809 may be prescribed by the department ~~division~~.

7810 (4) TO PAY TAX; PENALTIES.—A slot machine licensee who  
7811 fails to make tax payments as required under this section is  
7812 subject to an administrative penalty of up to \$10,000 for each  
7813 day the tax payment is not remitted. All administrative  
7814 penalties imposed and collected shall be deposited into the  
7815 Pari-mutuel Wagering Trust Fund of the Department of Business  
7816 and Professional Regulation. If any slot machine licensee fails  
7817 to pay penalties imposed by order of the department ~~division~~  
7818 under this subsection, the department ~~division~~ may suspend,  
7819 revoke, or refuse to renew the license of the slot machine

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7820 licensee.

7821 (5) SUBMISSION OF FUNDS.—The department ~~division~~ may  
7822 require slot machine licensees to remit taxes, fees, fines, and  
7823 assessments by electronic funds transfer.

7824 Section 115. Effective October 1, 2015, paragraph (b) of  
7825 subsection (2), subsections (4) and (5), paragraphs (a) and (b)  
7826 of subsection (6), and subsections (7), (9), (10), and (11) of  
7827 section 551.107, Florida Statutes, are amended to read:

7828 551.107 Slot machine occupational license; findings;  
7829 application; fee.—

7830 (2)

7831 (b) The department ~~division~~ may issue one license to  
7832 combine licenses under this section with pari-mutuel  
7833 occupational licenses and cardroom licenses pursuant to s.  
7834 550.105(2)(b). The department ~~division~~ shall adopt rules  
7835 pertaining to occupational licenses under this subsection. Such  
7836 rules may specify, but need not be limited to, requirements and  
7837 restrictions for licensed occupations and categories, procedures  
7838 to apply for any license or combination of licenses,  
7839 disqualifying criminal offenses for a licensed occupation or  
7840 categories of occupations, and which types of occupational  
7841 licenses may be combined into a single license under this  
7842 section. The fingerprinting requirements of subsection (7) apply  
7843 to any combination license that includes slot machine license  
7844 privileges under this section. The department ~~division~~ may not  
7845 adopt a rule allowing the issuance of an occupational license to

7846 any person who does not meet the minimum background  
7847 qualifications under this section.

7848 (4) (a) A person seeking a slot machine occupational  
7849 license or renewal thereof shall make application on forms  
7850 prescribed by the department ~~division~~ and include payment of the  
7851 appropriate application fee. Initial and renewal applications  
7852 for slot machine occupational licenses must contain all  
7853 information that the department ~~division~~, by rule, determines is  
7854 required to ensure eligibility.

7855 (b) A slot machine license or combination license is valid  
7856 for the same term as a pari-mutuel occupational license issued  
7857 pursuant to s. 550.105(1).

7858 (c) Pursuant to rules adopted by the department ~~division~~,  
7859 any person may apply for and, if qualified, be issued a slot  
7860 machine occupational license valid for a period of 3 years upon  
7861 payment of the full occupational license fee for each of the 3  
7862 years for which the license is issued. The slot machine  
7863 occupational license is valid during its specified term at any  
7864 licensed facility where slot machine gaming is authorized to be  
7865 conducted.

7866 (d) The slot machine occupational license fee for initial  
7867 application and annual renewal shall be determined by rule of  
7868 the department ~~division~~ but may not exceed \$50 for a general or  
7869 professional occupational license for an employee of the slot  
7870 machine licensee or \$1,000 for a business occupational license  
7871 for nonemployees of the licensee providing goods or services to



7872 the slot machine licensee. License fees for general occupational  
 7873 licensees shall be paid by the slot machine licensee. Failure to  
 7874 pay the required fee constitutes grounds for disciplinary action  
 7875 by the department ~~division~~ against the slot machine licensee,  
 7876 but it is not a violation of this chapter or rules of the  
 7877 department ~~division~~ by the general occupational licensee and  
 7878 does not prohibit the initial issuance or the renewal of the  
 7879 general occupational license.

7880 (5) The department ~~division~~ may:

7881 (a) Deny an application for, or revoke, suspend, or place  
 7882 conditions or restrictions on, a license of a person or entity  
 7883 that has been refused a license by any other state gaming  
 7884 commission, governmental department, agency, or other authority  
 7885 exercising regulatory jurisdiction over the gaming of another  
 7886 state or jurisdiction; or

7887 (b) Deny an application for, or suspend or place  
 7888 conditions on, a license of any person or entity that is under  
 7889 suspension or has unpaid fines in another state or jurisdiction.

7890 (6) (a) The department ~~division~~ may deny, suspend, revoke,  
 7891 or refuse to renew any slot machine occupational license if the  
 7892 applicant for such license or the licensee has violated the  
 7893 provisions of this chapter or the rules of the department  
 7894 ~~division~~ governing the conduct of persons connected with slot  
 7895 machine gaming. In addition, the department ~~division~~ may deny,  
 7896 suspend, revoke, or refuse to renew any slot machine  
 7897 occupational license if the applicant for such license or the

7898 licensee has been convicted in this state, in any other state,  
 7899 or under the laws of the United States of a capital felony, a  
 7900 felony, or an offense in any other state that would be a felony  
 7901 under the laws of this state involving arson; trafficking in,  
 7902 conspiracy to traffic in, smuggling, importing, conspiracy to  
 7903 smuggle or import, or delivery, sale, or distribution of a  
 7904 controlled substance; racketeering; or a crime involving a lack  
 7905 of good moral character, or has had a gaming license revoked by  
 7906 this state or any other jurisdiction for any gaming-related  
 7907 offense.

7908 (b) The department ~~division~~ may deny, revoke, or refuse to  
 7909 renew any slot machine occupational license if the applicant for  
 7910 such license or the licensee has been convicted of a felony or  
 7911 misdemeanor in this state, in any other state, or under the laws  
 7912 of the United States if such felony or misdemeanor is related to  
 7913 gambling or bookmaking as described in s. 849.25.

7914 (7) Fingerprints for all slot machine occupational license  
 7915 applications shall be taken in a manner approved by the  
 7916 department ~~division~~ and shall be submitted electronically to the  
 7917 Department of Law Enforcement for state processing and the  
 7918 Federal Bureau of Investigation for national processing for a  
 7919 criminal history record check. All persons as specified in s.  
 7920 550.1815(1)(a) employed by or working within a licensed premises  
 7921 shall submit fingerprints for a criminal history record check  
 7922 and may not have been convicted of any disqualifying criminal  
 7923 offenses specified in subsection (6). Department ~~Division~~

7924 employees and law enforcement officers assigned by their  
 7925 employing agencies to work within the premises as part of their  
 7926 official duties are excluded from the criminal history record  
 7927 check requirements under this subsection. For purposes of this  
 7928 subsection, the term "convicted" means having been found guilty,  
 7929 with or without adjudication of guilt, as a result of a jury  
 7930 verdict, nonjury trial, or entry of a plea of guilty or nolo  
 7931 contendere.

7932 (a) Fingerprints shall be taken in a manner approved by  
 7933 the department ~~division~~ upon initial application, or as required  
 7934 thereafter by rule of the department ~~division~~, and shall be  
 7935 submitted electronically to the Department of Law Enforcement  
 7936 for state processing. The Department of Law Enforcement shall  
 7937 forward the fingerprints to the Federal Bureau of Investigation  
 7938 for national processing. The results of the criminal history  
 7939 record check shall be returned to the department ~~division~~ for  
 7940 purposes of screening. Licensees shall provide necessary  
 7941 equipment approved by the Department of Law Enforcement to  
 7942 facilitate such electronic submission. The department ~~division~~  
 7943 requirements under this subsection shall be instituted in  
 7944 consultation with the Department of Law Enforcement.

7945 (b) The cost of processing fingerprints and conducting a  
 7946 criminal history record check for a general occupational license  
 7947 shall be borne by the slot machine licensee. The cost of  
 7948 processing fingerprints and conducting a criminal history record  
 7949 check for a business or professional occupational license shall

7950 be borne by the person being checked. The Department of Law  
7951 Enforcement may invoice the department ~~division~~ for the  
7952 fingerprints submitted each month.

7953 (c) All fingerprints submitted to the Department of Law  
7954 Enforcement and required by this section shall be retained by  
7955 the Department of Law Enforcement and entered into the statewide  
7956 automated biometric identification system as authorized by s.  
7957 943.05(2)(b) and shall be available for all purposes and uses  
7958 authorized for arrest fingerprints entered into the statewide  
7959 automated biometric identification system pursuant to s.  
7960 943.051.

7961 (d) The Department of Law Enforcement shall search all  
7962 arrest fingerprints received pursuant to s. 943.051 against the  
7963 fingerprints retained in the statewide automated biometric  
7964 identification system under paragraph (c). Any arrest record  
7965 that is identified with the retained fingerprints of a person  
7966 subject to the criminal history screening requirements of this  
7967 section shall be reported to the department ~~division~~. Each  
7968 licensed facility shall pay a fee to the department ~~division~~ for  
7969 the cost of retention of the fingerprints and the ongoing  
7970 searches under this paragraph. The department ~~division~~ shall  
7971 forward the payment to the Department of Law Enforcement. The  
7972 amount of the fee to be imposed for performing these searches  
7973 and the procedures for the retention of licensee fingerprints  
7974 shall be as established by rule of the Department of Law  
7975 Enforcement. The department ~~division~~ shall inform the Department

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7976 of Law Enforcement of any change in the license status of  
7977 licensees whose fingerprints are retained under paragraph (c).  
7978 (e) The department ~~division~~ shall request the Department  
7979 of Law Enforcement to forward the fingerprints to the Federal  
7980 Bureau of Investigation for a national criminal history records  
7981 check every 3 years following issuance of a license. If the  
7982 fingerprints of a person who is licensed have not been retained  
7983 by the Department of Law Enforcement, the person must file a  
7984 complete set of fingerprints as provided for in paragraph (a).  
7985 The department ~~division~~ shall collect the fees for the cost of  
7986 the national criminal history record check under this paragraph  
7987 and shall forward the payment to the Department of Law  
7988 Enforcement. The cost of processing fingerprints and conducting  
7989 a criminal history record check under this paragraph for a  
7990 general occupational license shall be borne by the slot machine  
7991 licensee. The cost of processing fingerprints and conducting a  
7992 criminal history record check under this paragraph for a  
7993 business or professional occupational license shall be borne by  
7994 the person being checked. The Department of Law Enforcement may  
7995 invoice the department ~~division~~ for the fingerprints submitted  
7996 each month. Under penalty of perjury, each person who is  
7997 licensed or who is fingerprinted as required by this section  
7998 must agree to inform the department ~~division~~ within 48 hours if  
7999 he or she is convicted of or has entered a plea of guilty or  
8000 nolo contendere to any disqualifying offense, regardless of  
8001 adjudication.

8002           (9) The department ~~division~~ may deny, revoke, or suspend  
 8003 any occupational license if the applicant or holder of the  
 8004 license accumulates unpaid obligations, defaults in obligations,  
 8005 or issues drafts or checks that are dishonored or for which  
 8006 payment is refused without reasonable cause.

8007           (10) The department ~~division~~ may fine or suspend, revoke,  
 8008 or place conditions upon the license of any licensee who  
 8009 provides false information under oath regarding an application  
 8010 for a license or an investigation by the department ~~division~~.

8011           (11) The department ~~division~~ may impose a civil fine of up  
 8012 to \$5,000 for each violation of this chapter or the rules of the  
 8013 department ~~division~~ in addition to or in lieu of any other  
 8014 penalty provided for in this section. The department ~~division~~  
 8015 may adopt a penalty schedule for violations of this chapter or  
 8016 any rule adopted pursuant to this chapter for which it would  
 8017 impose a fine in lieu of a suspension and adopt rules allowing  
 8018 for the issuance of citations, including procedures to address  
 8019 such citations, to persons who violate such rules. In addition  
 8020 to any other penalty provided by law, the department ~~division~~  
 8021 may exclude from all licensed slot machine facilities in this  
 8022 state, for a period not to exceed the period of suspension,  
 8023 revocation, or ineligibility, any person whose occupational  
 8024 license application has been declared ineligible to hold an  
 8025 occupational license or whose occupational license has been  
 8026 suspended or revoked by the department ~~division~~.

8027           Section 116. Effective October 1, 2015, subsections (1)

8028 and (4) of section 551.108, Florida Statutes, are amended to  
 8029 read:

8030 551.108 Prohibited relationships.—

8031 (1) A person employed by or performing any function on  
 8032 behalf of the department ~~division~~ may not:

8033 (a) Be an officer, director, owner, or employee of any  
 8034 person or entity licensed by the department ~~division~~.

8035 (b) Have or hold any interest, direct or indirect, in or  
 8036 engage in any commerce or business relationship with any person  
 8037 licensed by the department ~~division~~.

8038 (4) An employee of the department ~~division~~ or relative  
 8039 living in the same household as such employee of the department  
 8040 ~~division~~ may not wager at any time on a slot machine located at  
 8041 a facility licensed by the department ~~division~~.

8042 Section 117. Effective October 1, 2015, subsection (2) of  
 8043 section 551.109, Florida Statutes, is amended to read:

8044 551.109 Prohibited acts; penalties.—

8045 (2) Except as otherwise provided by law and in addition to  
 8046 any other penalty, any person who possesses a slot machine  
 8047 without the license required by this chapter or who possesses a  
 8048 slot machine at any location other than at the slot machine  
 8049 licensee's facility is subject to an administrative fine or  
 8050 civil penalty of up to \$10,000 per machine. The prohibition in  
 8051 this subsection does not apply to:

8052 (a) Slot machine manufacturers or slot machine  
 8053 distributors that hold appropriate licenses issued by the

8054 department ~~division~~ who are authorized to maintain a slot  
8055 machine storage and maintenance facility at any location in a  
8056 county in which slot machine gaming is authorized by this  
8057 chapter. The department ~~division~~ may adopt rules regarding  
8058 security and access to the storage facility and inspections by  
8059 the department ~~division~~.

8060 (b) Certified educational facilities that are authorized  
8061 to maintain slot machines for the sole purpose of education and  
8062 licensure, if any, of slot machine technicians, inspectors, or  
8063 investigators. The department ~~division~~ and the Department of Law  
8064 Enforcement may possess slot machines for training and testing  
8065 purposes. The department ~~division~~ may adopt rules regarding the  
8066 regulation of any such slot machines used for educational,  
8067 training, or testing purposes.

8068 Section 118. Effective October 1, 2015, section 551.112,  
8069 Florida Statutes, is amended to read:

8070 551.112 Exclusions of certain persons.—In addition to the  
8071 power to exclude certain persons from any facility of a slot  
8072 machine licensee in this state, the department ~~division~~ may  
8073 exclude any person from any facility of a slot machine licensee  
8074 in this state for conduct that would constitute, if the person  
8075 were a licensee, a violation of this chapter or the rules of the  
8076 department ~~division~~. The department ~~division~~ may exclude from  
8077 any facility of a slot machine licensee any person who has been  
8078 ejected from a facility of a slot machine licensee in this state  
8079 or who has been excluded from any facility of a slot machine



8080 licensee or gaming facility in another state by the governmental  
 8081 department, agency, commission, or authority exercising  
 8082 regulatory jurisdiction over the gaming in such other state.  
 8083 This section does not abrogate the common law right of a slot  
 8084 machine licensee to exclude a patron absolutely in this state.

8085 Section 119. Effective October 1, 2015, subsections (3)  
 8086 and (5) of section 551.114, Florida Statutes, are amended to  
 8087 read:

8088 551.114 Slot machine gaming areas.—

8089 (3) The department ~~division~~ shall require the posting of  
 8090 signs warning of the risks and dangers of gambling, showing the  
 8091 odds of winning, and informing patrons of the toll-free  
 8092 telephone number available to provide information and referral  
 8093 services regarding compulsive or problem gambling.

8094 (5) The permitholder shall provide adequate office space  
 8095 at no cost to the department ~~division~~ and the Department of Law  
 8096 Enforcement for the oversight of slot machine operations. The  
 8097 department ~~division~~ shall adopt rules establishing the criteria  
 8098 for adequate space, configuration, and location and needed  
 8099 electronic and technological requirements for office space  
 8100 required by this subsection.

8101 Section 120. Effective October 1, 2015, section 551.117,  
 8102 Florida Statutes, is amended to read:

8103 551.117 Penalties.—The department ~~division~~ may revoke or  
 8104 suspend any slot machine license issued under this chapter upon  
 8105 the willful violation by the slot machine licensee of any

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8106 provision of this chapter or of any rule adopted under this  
8107 chapter. In lieu of suspending or revoking a slot machine  
8108 license, the department ~~division~~ may impose a civil penalty  
8109 against the slot machine licensee for a violation of this  
8110 chapter or any rule adopted by the department ~~division~~. Except  
8111 as otherwise provided in this chapter, the penalty so imposed  
8112 may not exceed \$100,000 for each count or separate offense. All  
8113 penalties imposed and collected must be deposited into the Pari-  
8114 mutuel Wagering Trust Fund of the Department of Business and  
8115 Professional Regulation.

8116 Section 121. Effective October 1, 2015, subsections (2)  
8117 and (3) of section 551.118, Florida Statutes, are amended to  
8118 read:

8119 551.118 Compulsive or addictive gambling prevention  
8120 program.—

8121 (2) The department ~~division~~ shall, subject to competitive  
8122 bidding, contract for provision of services related to the  
8123 prevention of compulsive and addictive gambling. The contract  
8124 shall provide for an advertising program to encourage  
8125 responsible gaming practices and to publicize a gambling  
8126 telephone help line. Such advertisements must be made both  
8127 publicly and inside the designated slot machine gaming areas of  
8128 the licensee's facilities. The terms of any contract for the  
8129 provision of such services shall include accountability  
8130 standards that must be met by any private provider. The failure  
8131 of any private provider to meet any material terms of the

8132 contract, including the accountability standards, shall  
 8133 constitute a breach of contract or grounds for nonrenewal. The  
 8134 department ~~division~~ may consult with the Department of the  
 8135 Lottery in the development of the program and the development  
 8136 and analysis of any procurement for contractual services for the  
 8137 compulsive or addictive gambling prevention program.

8138 (3) The compulsive or addictive gambling prevention  
 8139 program shall be funded from an annual nonrefundable regulatory  
 8140 fee of \$250,000 paid by the licensee to the department ~~division~~.

8141 Section 122. Effective October 1, 2015, paragraph (c) of  
 8142 subsection (4) of section 551.121, Florida Statutes, is amended  
 8143 to read:

8144 551.121 Prohibited activities and devices; exceptions.—

8145 (4)

8146 (c) Outside the designated slot machine gaming areas, a  
 8147 slot machine licensee or operator may accept or cash a check for  
 8148 an employee of the facility who is prohibited from wagering on a  
 8149 slot machine under s. 551.108(5), a check made directly payable  
 8150 to a person licensed by the department ~~division~~, or a check made  
 8151 directly payable to the slot machine licensee or operator from:

8152 1. A pari-mutuel patron; or

8153 2. A pari-mutuel facility in this state or in another  
 8154 state.

8155 Section 123. Effective October 1, 2015, section 551.122,  
 8156 Florida Statutes, is amended to read:

8157 551.122 Rulemaking.—The department ~~division~~ may adopt

8158 rules pursuant to ss. 120.536(1) and 120.54 to administer the  
 8159 provisions of this chapter.

8160 Section 124. Effective October 1, 2015, section 551.123,  
 8161 Florida Statutes, is amended to read:

8162 551.123 Legislative authority; administration of chapter.—  
 8163 The Legislature finds and declares that it has exclusive  
 8164 authority over the conduct of all wagering occurring at a slot  
 8165 machine facility in this state. As provided by law, only the  
 8166 Department of Gaming Control ~~Division of Pari-mutuel Wagering~~  
 8167 and other authorized state agencies shall administer this  
 8168 chapter and regulate the slot machine gaming industry, including  
 8169 operation of slot machine facilities, games, slot machines, and  
 8170 facilities-based computer systems authorized in this chapter and  
 8171 the rules adopted by the department ~~division~~.

8172 Section 125. If any provision of this act or its  
 8173 application to any person or circumstance is held invalid, the  
 8174 invalidity does not affect other provisions or applications of  
 8175 this act which can be given effect without the invalid provision  
 8176 or application, and to this end the provisions of this act are  
 8177 severable.

8178 Section 126. Except as otherwise expressly provided in  
 8179 this act, this act shall take effect upon becoming a law.