

1 A bill to be entitled
2 An act relating to gaming; amending s. 550.002, F.S.;
3 revising the definition of the term "full schedule of
4 live racing or games"; amending s. 550.01215, F.S.;
5 revising provisions for applications for pari-mutuel
6 operating licenses; authorizing a greyhound racing
7 permitholder to indicate on the application that it
8 will operate less than a full schedule of live
9 performances; limiting the number of pari-mutuel
10 wagering operating licenses that may be issued each
11 year; authorizing a greyhound racing permitholder to
12 receive an operating license to conduct pari-mutuel
13 wagering activities at another permitholder's
14 greyhound racing facility; authorizing the Division of
15 Pari-mutuel Wagering of the Department of Business and
16 Professional Regulation to approve changes in racing
17 dates for greyhound racing permitholders under certain
18 conditions; removing a provision for conversion of
19 certain converted permits to jai alai permits;
20 providing requirements for licensure of certain jai
21 alai permitholders; amending s. 550.0251, F.S.;
22 requiring an annual report be made by the division to
23 the Governor and the Legislature; specifying content
24 required for the report; amending s. 550.054, F.S.;
25 providing for revocation of a pari-mutuel permit under
26 certain circumstances; prohibiting transfer of a pari-

27 | mutuel permit or license; revising provisions for
 28 | conversion of a permit from jai alai to greyhound
 29 | racing; prohibiting relocation of pari-mutuel
 30 | facilities and conversion of pari-mutuel permits;
 31 | repealing s. 550.0555, F.S., relating to the
 32 | relocation of greyhound racing permits; repealing s.
 33 | 550.0745, F.S., relating to the conversion of pari-
 34 | mutuel permits to summer jai alai permits; amending s.
 35 | 550.0951, F.S.; removing provisions for certain
 36 | credits for a greyhound racing permitholder; revising
 37 | the tax on handle for live greyhound racing and
 38 | intertrack wagering if the host track is a dog track;
 39 | providing for use of fees collected; amending s.
 40 | 550.09512, F.S.; providing for the revocation of
 41 | certain harness racing permits; specifying that a
 42 | revoked permit may not be reissued; amending s.
 43 | 550.09514, F.S.; removing certain provisions that
 44 | prohibit tax on handle until a specified amount of tax
 45 | savings have resulted; revising purse requirements of
 46 | a greyhound racing permitholder that conducts live
 47 | racing; amending s. 550.09515, F.S.; providing for the
 48 | revocation of certain thoroughbred racing permits;
 49 | specifying that a revoked permit may not be reissued;
 50 | amending s. 550.1625, F.S.; removing the requirement
 51 | that a greyhound racing permitholder pay the breaks
 52 | tax; repealing s. 550.1647, F.S., relating to

53 unclaimed tickets and breaks held by greyhound racing
54 permitholders; amending s. 550.1648, F.S.; revising
55 requirements for a greyhound racing permitholder to
56 provide a greyhound adoption booth at its facility;
57 defining the term "bona fide organization that
58 promotes or encourages the adoption of greyhounds";
59 requiring sterilization of greyhounds before adoption;
60 creating s. 550.2416, F.S.; requiring injuries to
61 racing greyhounds to be reported on a form adopted by
62 the division within a certain timeframe; specifying
63 information that must be included in the form;
64 requiring the division to maintain the forms as public
65 records for a specified time; specifying disciplinary
66 action that may be taken against a licensee of the
67 Department of Business and Professional Regulation who
68 fails to report an injury or who makes false
69 statements on an injury form; exempting injuries to
70 certain animals from reporting requirements; requiring
71 the division to adopt rules; amending s. 550.26165,
72 F.S.; conforming provisions to changes made by the
73 act; amending s. 550.3345, F.S.; revising provisions
74 for a permit previously converted from a quarter horse
75 racing permit to a thoroughbred racing permit;
76 amending s. 550.3551, F.S.; removing a provision that
77 limits the number of out-of-state races on which
78 wagers are accepted by a greyhound racing

79 | permitholder; removing greyhound racing permitholders
80 | from a live racing requirement; amending s. 550.615,
81 | F.S.; revising provisions relating to intertrack
82 | wagering; amending s. 550.6305, F.S.; revising
83 | provisions requiring certain simulcast signals be made
84 | available to certain permitholders; amending s.
85 | 550.6308, F.S.; revising the number of days of
86 | thoroughbred horse sales required to obtain a limited
87 | intertrack wagering license; revising provisions for
88 | such wagering; amending s. 551.101, F.S.; revising
89 | provisions that authorize slot machine gaming at
90 | certain facilities; amending s. 551.102, F.S.;
91 | revising the definition of the terms "eligible
92 | facility" and "slot machine licensee" for purposes of
93 | provisions relating to slot machines; amending s.
94 | 551.104, F.S.; revising provisions for approval of a
95 | license to conduct slot machine gaming; specifying
96 | that a greyhound racing permitholder is not required
97 | to conduct a full schedule of live racing to maintain
98 | a license to conduct slot machine gaming; amending s.
99 | 551.114, F.S.; requiring certain greyhound racing
100 | permitholders to locate their slot machine gaming area
101 | in certain locations; amending s. 551.116, F.S.;
102 | revising the times that a slot machine gaming area may
103 | be open; amending s. 849.086, F.S.; revising times
104 | that a cardroom may operate; exempting a greyhound

105 racing permitholder from a requirement to conduct a
 106 minimum number of live racing in order to receive,
 107 maintain, or renew a cardroom license under certain
 108 conditions; requiring a greyhound racing permitholder
 109 to conduct intertrack wagering on greyhound signals to
 110 operate a cardroom; directing the division to revoke
 111 certain pari-mutuel permits; specifying that the
 112 revoked permits may not be reissued; providing
 113 severability; providing an effective date.

114
 115 Be It Enacted by the Legislature of the State of Florida:

116
 117 Section 1. Subsection (11) of section 550.002, Florida
 118 Statutes, is amended to read:

119 550.002 Definitions.—As used in this chapter, the term:

120 (11) (a) "Full schedule of live racing or games" means: ~~;~~

121 1. For a greyhound racing permitholder or jai alai
 122 permitholder, the conduct of a combination of at least 100 live
 123 evening or matinee performances during the preceding year. ~~;~~ ~~for~~
 124 ~~a permitholder who has a converted permit or filed an~~
 125 ~~application on or before June 1, 1990, for a converted permit,~~
 126 ~~the conduct of a combination of at least 100 live evening and~~
 127 ~~matinee wagering performances during either of the 2 preceding~~
 128 ~~years;~~

129 2. For a jai alai permitholder that ~~who~~ does not operate
 130 slot machines in its pari-mutuel facility, ~~who~~ has conducted at

131 | least 100 live performances per year for at least 10 years after
 132 | December 31, 1992, and has had ~~whose~~ handle on live jai alai
 133 | games conducted at its pari-mutuel facility which was ~~has been~~
 134 | less than \$4 million per state fiscal year for at least 2
 135 | consecutive years after June 30, 1992, the conduct of a
 136 | ~~combination of~~ at least 40 live ~~evening or matinee~~ performances
 137 | during the preceding year.†

138 | 3. For a jai alai permitholder that ~~who~~ operates slot
 139 | machines in its pari-mutuel facility, the conduct of a
 140 | ~~combination of~~ at least 150 performances during the preceding
 141 | year.†

142 | 4. For a summer jai alai permitholder, the conduct of at
 143 | least 58 live performances during the preceding year, unless the
 144 | permitholder meets the requirements of subparagraph 2.

145 | 5. For a harness horse racing permitholder, the conduct of
 146 | at least 100 live regular wagering performances during the
 147 | preceding year.†

148 | 6. For a quarter horse racing permitholder at its
 149 | facility, unless an alternative schedule of at least 20 live
 150 | regular wagering performances each year is agreed upon by the
 151 | permitholder and either the Florida Quarter Horse Racing
 152 | Association or the horsemen ~~horsemen's~~ association representing
 153 | the majority of the quarter horse owners and trainers at the
 154 | facility and filed ~~with the division along~~ with its annual
 155 | operating license ~~date~~ application:†

156 | a. In the 2010-2011 fiscal year, the conduct of at least

157 20 regular wagering performances.7

158 b. In the 2011-2012 and 2012-2013 fiscal years, the
159 conduct of at least 30 live regular wagering performances.7 and

160 c. For every fiscal year after the 2012-2013 fiscal year,
161 the conduct of at least 40 live regular wagering performances.7

162 7. For a quarter horse racing permitholder leasing another
163 licensed racetrack, the conduct of 160 events at the leased
164 facility during the preceding year. and

165 8. For a thoroughbred racing permitholder, the conduct of
166 at least 40 live regular wagering performances during the
167 preceding year.

168 (b) ~~For a permitholder which is restricted by statute to~~
169 ~~certain operating periods within the year when other members of~~
170 ~~its same class of permit are authorized to operate throughout~~
171 ~~the year, the specified number of live performances which~~
172 ~~constitute a full schedule of live racing or games shall be~~
173 ~~adjusted pro rata in accordance with the relationship between~~
174 ~~its authorized operating period and the full calendar year and~~
175 ~~the resulting specified number of live performances shall~~
176 ~~constitute the full schedule of live games for such permitholder~~
177 ~~and all other permitholders of the same class within 100 air~~
178 ~~miles of such permitholder.~~ A live performance must consist of
179 no fewer than eight races or games conducted live for each of a
180 minimum of three performances each week at the permitholder's
181 licensed facility under a single admission charge.

182 Section 2. Subsections (1), (3), and (6) of section

183 550.01215, Florida Statutes, are amended, subsections (3)
 184 through (6) are renumbered as subsections (4) through (7),
 185 respectively, and a new subsection (3) is added to that section,
 186 to read:

187 550.01215 License application; periods of operation; bond,
 188 conversion of permit.-

189 (1) Each permitholder shall annually, during the period
 190 between December 15 and January 4, file in writing with the
 191 division its application for an operating a license ~~to conduct~~
 192 ~~performances~~ during the next state fiscal year. Each application
 193 for live performances shall specify the number, dates, and
 194 starting times of all live performances that ~~which~~ the
 195 permitholder intends to conduct. It shall also specify which
 196 performances will be conducted as charity or scholarship
 197 performances.

198 (a) In addition, each application for an operating a
 199 license shall include:~~7~~

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

202 2. For each permitholder that elects to operate a
 203 cardroom, the dates and periods of operation the permitholder
 204 intends to operate the cardroom. ~~or,~~

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

209 (b) A greyhound racing permitholder that conducted a full
 210 schedule of live racing for a period of at least 10 consecutive
 211 state fiscal years after the 1996-1997 state fiscal year or that
 212 converted its permit to a permit to conduct greyhound racing
 213 after that fiscal year may specify in its application for an
 214 operating license that it intends to conduct no live racing or
 215 less than a full schedule of live racing in the next state
 216 fiscal year. A greyhound racing permitholder may receive an
 217 operating license to conduct pari-mutuel wagering activities at
 218 another permitholder's greyhound racing facility pursuant to s.
 219 550.475.

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

222 (3) Notwithstanding any other provision of law, no more
 223 than 40 pari-mutuel wagering operating licenses may be issued
 224 each year. If more than 40 permitholders are eligible for
 225 licensure, the division shall issue operating licenses first to
 226 those permitholders who conducted pari-mutuel wagering under an
 227 operating license in the previous year.

228 (4) ~~(3)~~ The division shall issue each license no later than
 229 March 15. Each permitholder shall operate all performances at
 230 the date and time specified on its license. The division shall
 231 have the authority to approve minor changes in racing dates
 232 after a license has been issued. The division may approve
 233 changes in racing dates after a license has been issued when
 234 there is no objection from any operating permitholder located

235 within 50 miles of the permitholder requesting the changes in
 236 operating dates. In the event of an objection, the division
 237 shall approve or disapprove the change in operating dates based
 238 upon the impact on operating permitholders located within 50
 239 miles of the permitholder requesting the change in operating
 240 dates. In making the determination to change racing dates, the
 241 division shall take into consideration the impact of such
 242 changes on state revenues. Notwithstanding any other provision
 243 of law, and for the 2015-2016 fiscal year only, the division may
 244 approve any changes in racing dates for greyhound permitholders
 245 if the request for such changes is received before August 31,
 246 2015.

247 ~~(7)-(6)~~ A summer jai alai permitholder may apply for an
 248 operating license to operate a jai alai fronton only during the
 249 summer season beginning May 1 and ending November 30 of each
 250 year on such dates as may be selected by the permitholder. Such
 251 permitholder is subject to the same taxes and rules and
 252 provisions of this chapter which apply to the operation of
 253 winter jai alai frontons. A summer jai alai permitholder is not
 254 eligible for licensure to conduct a cardroom or a slot machine
 255 facility. A summer jai alai permitholder and a winter jai alai
 256 permitholder may not operate on the same days or in competition
 257 with each other. This subsection does not prevent a summer jai
 258 alai licensee from leasing the facilities of a winter jai alai
 259 licensee for the operation of a summer meet. Any permit which
 260 was converted from a jai alai permit to a greyhound permit may

261 ~~be converted to a jai alai permit at any time if the~~
 262 ~~permitholder never conducted greyhound racing or if the~~
 263 ~~permitholder has not conducted greyhound racing for a period of~~
 264 ~~12 consecutive months.~~

265 Section 3. Subsection (1) of section 550.0251, Florida
 266 Statutes, is amended to read:

267 550.0251 The powers and duties of the Division of Pari-
 268 mutuel Wagering of the Department of Business and Professional
 269 Regulation.—The division shall administer this chapter and
 270 regulate the pari-mutuel industry under this chapter and the
 271 rules adopted pursuant thereto, and:

272 (1) The division shall make an annual report to the
 273 Governor, the President of the Senate, and the Speaker of the
 274 House of Representatives. The report shall include, at a
 275 minimum:

276 (a) Recent events in the gaming industry, including
 277 pending litigation, pending facility license applications, and
 278 new and pending rules.

279 (b) Actions of the commission and the department relative
 280 to the implementation and administration of this chapter.

281 (c) The state revenues and expenses associated with each
 282 form of authorized gaming. Revenues and expenses associated with
 283 pari-mutuel wagering shall be further delineated by the class of
 284 license.

285 (d) The performance of each pari-mutuel wagering licensee,
 286 cardroom licensee, and slot licensee.

287 (e) A summary of disciplinary actions taken by the
 288 department.

289 (f) Any suggestions to more effectively achieve showing
 290 its own actions, receipts derived under the provisions of this
 291 chapter, the practical effects of the application of this
 292 chapter, and any suggestions it may approve for the more
 293 effectual accomplishments of the purposes of this chapter.

294 Section 4. Paragraph (b) of subsection (9), paragraph (a)
 295 of subsection (11), and subsections (13) and (14) of section
 296 550.054, Florida Statutes, are amended, paragraphs (c) through
 297 (g) are added to subsection (9), and subsection (15) is added to
 298 that section, to read:

299 550.054 Application for permit to conduct pari-mutuel
 300 wagering.—

301 (9)

302 (b) The division may revoke or suspend any permit or
 303 license issued under this chapter upon the willful violation by
 304 the permitholder or licensee of any provision of this chapter or
 305 of any rule adopted under this chapter. In lieu of suspending or
 306 revoking a permit or license, the division may impose a civil
 307 penalty against the permitholder or licensee for a violation of
 308 this chapter or any rule adopted by the division, except as
 309 provided for in subparagraphs (c)-(h). The penalty so imposed
 310 may not exceed \$1,000 for each count or separate offense. All
 311 penalties imposed and collected must be deposited with the Chief
 312 Financial Officer to the credit of the General Revenue Fund.

313 (c) The division shall revoke the permit of any
314 permitholder that has not obtained an operating license in
315 accordance with s. 550.01215 for a period of more than 24
316 consecutive months after June 30, 2012. The division shall
317 revoke the permit upon adequate notice to the permitholder
318 unless such failure was the direct result of fire, strike, war,
319 or other disaster or event beyond the permitholder's control.
320 Financial hardship to the permitholder does not, in and of
321 itself, constitute just cause for failure to operate.

322 (d) The division shall revoke the permit of any
323 permitholder that does not pay tax on handle for more than 24
324 consecutive months unless such failure to pay tax on handle was
325 the direct result of fire, strike, war, or other disaster or
326 event beyond the permitholder's control. Financial hardship to
327 the permitholder does not, in and of itself, constitute just
328 cause for failure to pay tax on handle.

329 (e) Notwithstanding any other provision of law, a new
330 permit to conduct pari-mutuel wagering may not be approved or
331 issued after July 1, 2015.

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

334 (g) A permitholder may apply to the division to place the
335 permit into inactive status for a period of 12 months pursuant
336 to the rules adopted under this chapter. The division, upon good
337 cause shown by the permitholder, may renew inactive status for
338 up to 12 months. A permit may not be in inactive status for a

339 period of more than 24 consecutive months. Holders of permits in
 340 inactive status are not eligible for licensure for pari-mutuel
 341 wagering, slot machines, or cardrooms.

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

347 (13) ~~(a)~~ Notwithstanding any provisions of this chapter, a
 348 pari-mutuel no thoroughbred horse racing permit or license
 349 issued under this chapter may not shall be transferred, or
 350 reissued when such reissuance is in the nature of a transfer so
 351 as to permit or authorize a licensee to change the location of a
 352 pari-mutuel facility, cardroom, or slot machine facility.

353 ~~thoroughbred horse racetrack except upon proof in such form as~~
 354 ~~the division may prescribe that a referendum election has been~~
 355 ~~held:~~

356 1. ~~If the proposed new location is within the same county~~
 357 ~~as the already licensed location, in the county where the~~
 358 ~~licensee desires to conduct the race meeting and that a majority~~
 359 ~~of the electors voting on that question in such election voted~~
 360 ~~in favor of the transfer of such license.~~

361 2. ~~If the proposed new location is not within the same~~
 362 ~~county as the already licensed location, in the county where the~~
 363 ~~licensee desires to conduct the race meeting and in the county~~
 364 ~~where the licensee is already licensed to conduct the race~~

365 ~~meeting and that a majority of the electors voting on that~~
366 ~~question in each such election voted in favor of the transfer of~~
367 ~~such license.~~

368 ~~(b) Each referendum held under the provisions of this~~
369 ~~subsection shall be held in accordance with the electoral~~
370 ~~procedures for ratification of permits, as provided in s.~~
371 ~~550.0651. The expense of each such referendum shall be borne by~~
372 ~~the licensee requesting the transfer.~~

373 ~~(14) Notwithstanding any other provision of law, no pari-~~
374 ~~mutuel facility, cardroom, or slot machine facility may be~~
375 ~~relocated and no pari-mutuel permit may be converted to another~~
376 ~~class of permit.~~

377 ~~(a) Any holder of a permit to conduct jai alai may apply~~
378 ~~to the division to convert such permit to a permit to conduct~~
379 ~~greyhound racing in lieu of jai alai if:~~

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

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

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

388 ~~(b) The division, upon application from the holder of a~~
389 ~~jai alai permit meeting all conditions of this section, shall~~
390 ~~convert the permit and shall issue to the permitholder a permit~~

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

411 Section 5. Section 550.0555, Florida Statutes, is
 412 repealed.

413 Section 6. Section 550.0745, Florida Statutes, is
 414 repealed.

415 Section 7. Section 550.0951, Florida Statutes, is amended
 416 to read:

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

443 taken. This license fee shall be deposited with the Chief
 444 Financial Officer to the credit of the Pari-mutuel Wagering
 445 Trust Fund.

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

469 ~~exemption or credit is transferred shall reimburse such~~
 470 ~~permitholder the exact monetary value of such transferred~~
 471 ~~exemption or credit as actually applied against the taxes and~~
 472 ~~daily license fees of the host track. The division shall ensure~~
 473 ~~that all transfers of exemption or credit are made in accordance~~
 474 ~~with this subsection and shall have the authority to adopt rules~~
 475 ~~to ensure the implementation of this section.~~

476 (2) ADMISSION TAX.—

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

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

487 (c) A permitholder may issue tax-free passes to its
 488 officers, officials, and employees or other persons actually
 489 engaged in working at the racetrack, including accredited press
 490 representatives such as reporters and editors, and may also
 491 issue tax-free passes to other permitholders for the use of
 492 their officers and officials. The permitholder shall file with
 493 the division a list of all persons to whom tax-free passes are
 494 issued under this paragraph.

495 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 496 contributions to pari-mutuel pools, the aggregate of which is
 497 hereinafter referred to as "handle," on races or games conducted
 498 by the permitholder. The tax is imposed daily and is based on
 499 the total contributions to all pari-mutuel pools conducted
 500 during the daily performance. If a permitholder conducts more
 501 than one performance daily, the tax is imposed on each
 502 performance separately.

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

505 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
 506 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
 507 ~~performances held pursuant to s. 550.0351, and for intertrack~~
 508 ~~wagering on such charity performances at a guest greyhound track~~
 509 ~~within the market area of the host, the tax is 7.6 percent of~~
 510 ~~the handle.~~

511 2. The tax on handle for jai alai is 7.1 percent of the
 512 handle.

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

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

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

518 (III) If the host track is a dog track ~~harness track~~, 1.28
 519 ~~5.5~~ percent of the handle to be remitted by the guest track. ~~if~~
 520 ~~the host track is a dog track, and~~

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

523 b. The tax on handle for intertrack wagering is 0.5
 524 percent if the host track and the guest track are thoroughbred
 525 racing permitholders or if the guest track is located outside
 526 the market area of a nongreyhound ~~the~~ host track and within the
 527 market area of a thoroughbred racing permitholder currently
 528 conducting a live race meet.

529 c. The tax on handle for intertrack wagering on
 530 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent
 531 of the handle and 1.5 percent of the handle for intertrack
 532 wagering on rebroadcasts of simulcast harness horseraces.

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

535 ~~3.2.~~ The tax on handle for intertrack wagers accepted by
 536 any dog track located as specified in s. 550.615(6) ~~in an area~~
 537 ~~of the state in which there are only three permitholders, all of~~
 538 ~~which are greyhound permitholders, located in three contiguous~~
 539 ~~counties, from any greyhound permitholder also located within~~
 540 ~~such area or any dog track or jai alai fronton located as~~
 541 ~~specified in s. 550.615(7) ~~550.615(6) or (9),~~ on races or games~~
 542 ~~received from the same class of permitholder located within the~~
 543 ~~same market area, is 3.9 percent if the host facility is a~~
 544 ~~greyhound permitholder and, if the host facility is a jai alai~~
 545 ~~permitholder, the rate shall be 6.1 percent except that it shall~~
 546 ~~be 2.3 percent on handle at such time as the total tax on~~

547 intertrack handle paid to the division by the permitholder
 548 during the current state fiscal year exceeds the total tax on
 549 intertrack handle paid to the division by the permitholder
 550 during the 1992-1993 state fiscal year.

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

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

560 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
 561 imposed by this section shall be paid to the division. The
 562 division shall deposit these sums with the Chief Financial
 563 Officer, to the credit of the Pari-mutuel Wagering Trust Fund,
 564 hereby established. The permitholder shall remit to the division
 565 payment for the daily license fee, the admission tax, the tax on
 566 handle, and the breaks tax. Such payments shall be remitted by 3
 567 p.m. Wednesday of each week for taxes imposed and collected for
 568 the preceding week ending on Sunday. Beginning on July 1, 2012,
 569 such payments shall be remitted by 3 p.m. on the 5th day of each
 570 calendar month for taxes imposed and collected for the preceding
 571 calendar month. If the 5th day of the calendar month falls on a
 572 weekend, payments shall be remitted by 3 p.m. the first Monday

573 following the weekend. Permitholders shall file a report under
 574 oath by the 5th day of each calendar month for all taxes
 575 remitted during the preceding calendar month. Such payments
 576 shall be accompanied by a report under oath showing the total of
 577 all admissions, the pari-mutuel wagering activities for the
 578 preceding calendar month, and such other information as may be
 579 prescribed by the division.

580 (6) PENALTIES.—

581 (a) The failure of any permitholder to make payments as
 582 prescribed in subsection (5) is a violation of this section, and
 583 the permitholder may be subjected by the division to a civil
 584 penalty of up to \$1,000 for each day the tax payment is not
 585 remitted. All penalties imposed and collected shall be deposited
 586 in the General Revenue Fund. If a permitholder fails to pay
 587 penalties imposed by order of the division under this
 588 subsection, the division may suspend or revoke the license of
 589 the permitholder, cancel the permit of the permitholder, or deny
 590 issuance of any further license or permit to the permitholder.

591 (b) In addition to the civil penalty prescribed in
 592 paragraph (a), any willful or wanton failure by any permitholder
 593 to make payments of the daily license fee, admission tax, tax on
 594 handle, or breaks tax constitutes sufficient grounds for the
 595 division to suspend or revoke the license of the permitholder,
 596 to cancel the permit of the permitholder, or to deny issuance of
 597 any further license or permit to the permitholder.

598 Section 8. Subsection (3) of section 550.09512, Florida

599 Statutes, is amended to read:

600 550.09512 Harness racing ~~horse~~ taxes; abandoned interest
601 in a permit for nonpayment of taxes.—

602 (3)~~(a)~~ The division shall revoke the permit of a harness
603 horse permitholder who does not pay tax on handle for live
604 harness horse performances for a full schedule of live races for
605 more than 24 consecutive months ~~during any 2 consecutive state~~
606 ~~fiscal years shall be void and shall escheat to and become the~~
607 ~~property of the state~~ unless such failure to operate and pay tax
608 on handle was the direct result of fire, strike, war, or other
609 disaster or event beyond the ability of the permitholder to
610 control. Financial hardship to the permitholder does ~~shall~~ not,
611 in and of itself, constitute just cause for failure to operate
612 and pay tax on handle. A permit revoked under this subsection is
613 void and may not be reissued.

614 ~~(b) In order to maximize the tax revenues to the state,~~
615 ~~the division shall reissue an escheated harness horse permit to~~
616 ~~a qualified applicant pursuant to the provisions of this chapter~~
617 ~~as for the issuance of an initial permit. However, the~~
618 ~~provisions of this chapter relating to referendum requirements~~
619 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
620 ~~escheated harness horse permit. As specified in the application~~
621 ~~and upon approval by the division of an application for the~~
622 ~~permit, the new permitholder shall be authorized to operate a~~
623 ~~harness horse facility anywhere in the same county in which the~~
624 ~~escheated permit was authorized to be operated, notwithstanding~~

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

626 Section 9. Section 550.09514, Florida Statutes, is amended
627 to read:

628 550.09514 Greyhound racing ~~dogracing~~ taxes; purse
629 requirements.-

630 ~~(1) Wagering on greyhound racing is subject to a tax on~~
631 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
632 ~~However, each permitholder shall pay no tax on handle until such~~
633 ~~time as this subsection has resulted in a tax savings per state~~
634 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
635 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
636 ~~remainder of the permitholder's current race meet. For the three~~
637 ~~permitholders that conducted a full schedule of live racing in~~
638 ~~1995, and are closest to another state that authorizes greyhound~~
639 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
640 ~~year shall be \$500,000. The provisions of this subsection~~
641 ~~relating to tax exemptions shall not apply to any charity or~~
642 ~~scholarship performances conducted pursuant to s. 550.0351.~~

643 (1)(2)(a) The division shall determine for each greyhound
644 racing permitholder the annual purse percentage rate of live
645 handle for the state fiscal year 1993-1994 by dividing total
646 purses paid on live handle by the permitholder, exclusive of
647 payments made from outside sources, during the 1993-1994 state
648 fiscal year by the permitholder's live handle for the 1993-1994
649 state fiscal year. A greyhound ~~Each~~ permitholder conducting live
650 racing during a fiscal year shall pay as purses for such live

651 races conducted during its current race meet a percentage of its
 652 live handle not less than the percentage determined under this
 653 paragraph, exclusive of payments made by outside sources, for
 654 its 1993-1994 state fiscal year.

655 (b) Except as otherwise set forth herein, in addition to
 656 the minimum purse percentage required by paragraph (a), each
 657 greyhound racing permit holder conducting live racing during a
 658 fiscal year shall pay as purses an annual amount of \$60 for each
 659 live race conducted ~~equal to 75 percent of the daily license~~
 660 ~~fees paid by the greyhound~~ each permit holder in for the
 661 preceding 1994-1995 fiscal year. ~~This purse supplement shall be~~
 662 ~~disbursed weekly during the permit holder's race meet in an~~
 663 ~~amount determined by dividing the annual purse supplement by the~~
 664 ~~number of performances approved for the permit holder pursuant to~~
 665 ~~its annual license and multiplying that amount by the number of~~
 666 ~~performances conducted each week. For the greyhound~~
 667 ~~permit holders in the county where there are two greyhound~~
 668 ~~permit holders located as specified in s. 550.615(6), such~~
 669 ~~permit holders shall pay in the aggregate an amount equal to 75~~
 670 ~~percent of the daily license fees paid by such permit holders for~~
 671 ~~the 1994-1995 fiscal year. These permit holders shall be jointly~~
 672 ~~and severally liable for such purse payments. The additional~~
 673 purses provided by this paragraph must be used exclusively for
 674 purses other than stakes and shall be disbursed weekly during
 675 the permit holder's race meet. The division shall conduct audits
 676 necessary to ensure compliance with this section.

677 (c)1. Each greyhound racing permitholder, when conducting
 678 at least three live performances during any week, shall pay
 679 purses in that week on wagers it accepts as a guest track on
 680 intertrack and simulcast greyhound races at the same rate as it
 681 pays on live races. Each greyhound racing permitholder, when
 682 conducting at least three live performances during any week,
 683 shall pay purses in that week, at the same rate as it pays on
 684 live races, on wagers accepted on greyhound races at a guest
 685 track which is not conducting live racing and is located within
 686 the same market area as the greyhound racing permitholder
 687 conducting at least three live performances during any week.

688 2. Each host greyhound racing permitholder shall pay
 689 purses on its simulcast and intertrack broadcasts of greyhound
 690 races to guest facilities that are located outside its market
 691 area in an amount equal to one quarter of an amount determined
 692 by subtracting the transmission costs of sending the simulcast
 693 or intertrack broadcasts from an amount determined by adding the
 694 fees received for greyhound simulcast races plus 3 percent of
 695 the greyhound intertrack handle at guest facilities that are
 696 located outside the market area of the host and that paid
 697 contractual fees to the host for such broadcasts of greyhound
 698 races.

699 (d) The division shall require sufficient documentation
 700 from each greyhound racing permitholder regarding purses paid on
 701 live racing to assure that the annual purse percentage rates
 702 paid by each greyhound racing permitholder conducting ~~on the~~

703 live races are not reduced below those paid during the 1993-1994
 704 state fiscal year. The division shall require sufficient
 705 documentation from each greyhound racing permitholder to assure
 706 that the purses paid by each permitholder on the greyhound
 707 intertrack and simulcast broadcasts are in compliance with the
 708 requirements of paragraph (c).

709 (e) In addition to the purse requirements of paragraphs
 710 (a)-(c), each greyhound racing permitholder conducting live
 711 races shall pay as purses an amount equal to one-third of the
 712 amount of the tax reduction on live and simulcast handle
 713 applicable to such permitholder as a result of the reductions in
 714 tax rates provided by s. 6 of chapter 2000-354, Laws of Florida
 715 ~~this act through the amendments to s. 550.0951(3)~~. With respect
 716 to intertrack wagering when the host and guest tracks are
 717 greyhound racing permitholders not within the same market area,
 718 an amount equal to the tax reduction applicable to the guest
 719 track handle as a result of the reduction in tax rate provided
 720 by s. 6 of chapter 2000-354, Laws of Florida, ~~this act through~~
 721 ~~the amendment to s. 550.0951(3)~~ shall be distributed to the
 722 guest track, one-third of which amount shall be paid as purses
 723 at the guest track. However, if the guest track is a greyhound
 724 racing permitholder within the market area of the host or if the
 725 guest track is not a greyhound racing permitholder, an amount
 726 equal to such tax reduction applicable to the guest track handle
 727 shall be retained by the host track, one-third of which amount
 728 shall be paid as purses at the host track. These purse funds

729 shall be disbursed in the week received if the permitholder
 730 conducts at least one live performance during that week. If the
 731 permitholder does not conduct at least one live performance
 732 during the week in which the purse funds are received, the purse
 733 funds shall be disbursed weekly during the permitholder's next
 734 race meet in an amount determined by dividing the purse amount
 735 by the number of performances approved for the permitholder
 736 pursuant to its annual license, and multiplying that amount by
 737 the number of performances conducted each week. The division
 738 shall conduct audits necessary to ensure compliance with this
 739 paragraph.

740 (f) Each greyhound racing permitholder conducting live
 741 racing shall, during the permitholder's race meet, supply kennel
 742 operators and the Division of Pari-Mutuel Wagering with a weekly
 743 report showing purses paid on live greyhound races and all
 744 greyhound intertrack and simulcast broadcasts, including both as
 745 a guest and a host together with the handle or commission
 746 calculations on which such purses were paid and the transmission
 747 costs of sending the simulcast or intertrack broadcasts, so that
 748 the kennel operators may determine statutory and contractual
 749 compliance.

750 (g) Each greyhound racing permitholder conducting live
 751 racing shall make direct payment of purses to the greyhound
 752 owners who have filed with such permitholder appropriate federal
 753 taxpayer identification information based on the percentage
 754 amount agreed upon between the kennel operator and the greyhound

755 owner.

756 (h) At the request of a majority of kennel operators under
 757 contract with a greyhound racing permitholder conducting live
 758 racing, the permitholder shall make deductions from purses paid
 759 to each kennel operator electing such deduction and shall make a
 760 direct payment of such deductions to the local association of
 761 greyhound kennel operators formed by a majority of kennel
 762 operators under contract with the permitholder. The amount of
 763 the deduction shall be at least 1 percent of purses, as
 764 determined by the local association of greyhound kennel
 765 operators. ~~No~~ Deductions may not be taken pursuant to this
 766 paragraph without a kennel operator's specific approval before
 767 or after the effective date of this act.

768 (2)~~(3)~~ For the purpose of this section, the term "live
 769 handle" means the handle from wagers placed at the
 770 permitholder's establishment on the live greyhound races
 771 conducted at the permitholder's establishment.

772 Section 10. Paragraph (b) of subsection (3) of section
 773 550.09515, Florida Statutes, is amended to read:

774 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
 775 interest in a permit for nonpayment of taxes.—

776 (3)~~(a)~~ The division shall revoke the permit of a
 777 thoroughbred horse permitholder that ~~who~~ does not pay tax on
 778 handle for live thoroughbred horse performances for a full
 779 schedule of live races for more than 24 consecutive months
 780 ~~during any 2 consecutive state fiscal years shall be void and~~

781 ~~shall escheat to and become the property of the state unless~~
 782 ~~such failure to operate and pay tax on handle was the direct~~
 783 ~~result of fire, strike, war, or other disaster or event beyond~~
 784 ~~the ability of the permitholder to control. Financial hardship~~
 785 ~~to the permitholder does ~~shall~~ not, in and of itself, constitute~~
 786 ~~just cause for failure to operate and pay tax on handle. A~~
 787 ~~permit revoked under this subsection is void and may not be~~
 788 ~~reissued.~~

789 ~~(b) In order to maximize the tax revenues to the state,~~
 790 ~~the division shall reissue an escheated thoroughbred horse~~
 791 ~~permit to a qualified applicant pursuant to the provisions of~~
 792 ~~this chapter as for the issuance of an initial permit. However,~~
 793 ~~the provisions of this chapter relating to referendum~~
 794 ~~requirements for a pari-mutuel permit shall not apply to the~~
 795 ~~reissuance of an escheated thoroughbred horse permit. As~~
 796 ~~specified in the application and upon approval by the division~~
 797 ~~of an application for the permit, the new permitholder shall be~~
 798 ~~authorized to operate a thoroughbred horse facility anywhere in~~
 799 ~~the same county in which the escheated permit was authorized to~~
 800 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
 801 ~~relating to mileage limitations.~~

802 Section 11. Subsection (2) of section 550.1625, Florida
 803 Statutes, is amended to read:

804 550.1625 Greyhound racing ~~degrading~~; taxes.—

805 (2) A permitholder that conducts a greyhound race ~~degrade~~
 806 meet under this chapter must pay the daily license fee, the

807 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 808 as provided in s. 550.0951 and is subject to all penalties and
 809 sanctions provided in s. 550.0951(6).

810 Section 12. Section 550.1647, Florida Statutes, is
 811 repealed.

812 Section 13. Section 550.1648, Florida Statutes, is amended
 813 to read:

814 550.1648 Greyhound adoptions.—

815 ~~(1) A greyhound racing~~ Each dogracing permitholder
 816 conducting live racing at ~~operating~~ a greyhound racing dogracing
 817 facility in this state shall provide for a greyhound adoption
 818 booth to be located at the facility.

819 (1) (a) The greyhound adoption booth must be operated on
 820 weekends by personnel or volunteers from a bona fide
 821 organization that promotes or encourages the adoption of
 822 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
 823 as a condition of adoption, must provide sterilization of
 824 greyhounds by a licensed veterinarian before relinquishing
 825 custody of the greyhound to the adopter. The fee for
 826 sterilization may be included in the cost of adoption. As used
 827 in this section, the term "weekend" includes the hours during
 828 which live greyhound racing is conducted on Friday, Saturday, or
 829 Sunday, and the term "bona fide organization that promotes or
 830 encourages the adoption of greyhounds" means an organization
 831 that provides evidence of compliance with chapter 496 and
 832 possesses a valid exemption from federal taxation issued by the

833 Internal Revenue Service. Information pamphlets and application
 834 forms shall be provided to the public upon request.

835 (b) ~~In addition,~~ The kennel operator or owner shall notify
 836 the permitholder that a greyhound is available for adoption and
 837 the permitholder shall provide information concerning the
 838 adoption of a greyhound in each race program and shall post
 839 adoption information at conspicuous locations throughout the
 840 greyhound racing ~~degracing~~ facility. Any greyhound that is
 841 participating in a race and that will be available for future
 842 adoption must be noted in the race program. The permitholder
 843 shall allow greyhounds to be walked through the track facility
 844 to publicize the greyhound adoption program.

845 (2) In addition to the charity days authorized under s.
 846 550.0351, a greyhound racing permitholder may fund the greyhound
 847 adoption program by holding a charity racing day designated as
 848 "Greyhound Adopt-A-Pet Day." All profits derived from the
 849 operation of the charity day must be placed into a fund used to
 850 support activities at the racing facility which promote the
 851 adoption of greyhounds. The division may adopt rules for
 852 administering the fund. Proceeds from the charity day authorized
 853 in this subsection may not be used as a source of funds for the
 854 purposes set forth in s. 550.1647.

855 (3) (a) Upon a violation of this section by a permitholder
 856 or licensee, the division may impose a penalty as provided in s.
 857 550.0251(10) and require the permitholder to take corrective
 858 action.

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

862 Section 14. Section 550.2416, Florida Statutes, is created
 863 to read:

864 550.2416 Reporting of racing greyhound injuries.-

865 (1) This section may be cited as the "Victoria Q. Gaetz
 866 Racing Greyhound Protection Act."

867 (2) An injury to a racing greyhound which occurs while the
 868 greyhound is located in this state must be reported on a form
 869 adopted by the division within 7 days after the date on which
 870 the injury occurred or is believed to have occurred.

871 (3) The form shall be completed and signed under oath or
 872 affirmation under penalty of perjury by the:

873 (a) Racetrack veterinarian, if the injury occurred at the
 874 racetrack facility; or

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

878 (4) The form must include all of the following:

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

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

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

885 (d) The specific type and bodily location of the injury,
 886 the cause of the injury, and the estimated recovery time from
 887 the injury.

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

889 1. The racetrack where the injury occurred;

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

892 3. The weather conditions, time, and track conditions when
 893 the injury occurred.

894 (f) If the injury occurred when the greyhound was not
 895 racing:

896 1. The location where the injury occurred; and

897 2. The circumstances surrounding the injury.

898 (g) Other information that the division determines is
 899 necessary to identify injuries to racing greyhounds in this
 900 state.

901 (5) An injury form created pursuant to this section shall
 902 be maintained as a public record by the division for at least 7
 903 years after the date it was received.

904 (6) A licensee of the department who knowingly makes a
 905 false statement concerning an injury or fails to report an
 906 injury is subject to disciplinary action under this chapter or
 907 chapters 455 and 474.

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

911 (8) The division shall adopt rules to implement this
 912 section.

913 Section 15. Subsection (1) of section 550.26165, Florida
 914 Statutes, is amended to read:

915 550.26165 Breeders' awards.—

916 (1) The purpose of this section is to encourage the
 917 agricultural activity of breeding and training racehorses in
 918 this state. Moneys dedicated in this chapter for use as
 919 breeders' awards and stallion awards are to be used for awards
 920 to breeders of registered Florida-bred horses winning horseraces
 921 and for similar awards to the owners of stallions who sired
 922 Florida-bred horses winning stakes races, if the stallions are
 923 registered as Florida stallions standing in this state. Such
 924 awards shall be given at a uniform rate to all winners of the
 925 awards, shall not be greater than 20 percent of the announced
 926 gross purse, and shall not be less than 15 percent of the
 927 announced gross purse if funds are available. In addition, no
 928 less than 17 percent nor more than 40 percent, as determined by
 929 the Florida Thoroughbred Breeders' Association, of the moneys
 930 dedicated in this chapter for use as breeders' awards and
 931 stallion awards for thoroughbreds shall be returned pro rata to
 932 the permitholders that generated the moneys for special racing
 933 awards to be distributed by the permitholders to owners of
 934 thoroughbred horses participating in prescribed thoroughbred
 935 stakes races, nonstakes races, or both, all in accordance with a
 936 written agreement establishing the rate, procedure, and

937 eligibility requirements for such awards entered into by the
 938 permitholder, the Florida Thoroughbred Breeders' Association,
 939 and the Florida Horsemen's Benevolent and Protective
 940 Association, Inc., except that the plan for the distribution by
 941 any permitholder located in the area described in s. 550.615(7)
 942 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
 943 Florida Thoroughbred Breeders' Association, and the association
 944 representing a majority of the thoroughbred racehorse owners and
 945 trainers at that location. Awards for thoroughbred races are to
 946 be paid through the Florida Thoroughbred Breeders' Association,
 947 and awards for standardbred races are to be paid through the
 948 Florida Standardbred Breeders and Owners Association. Among
 949 other sources specified in this chapter, moneys for thoroughbred
 950 breeders' awards will come from the 0.955 percent of handle for
 951 thoroughbred races conducted, received, broadcast, or simulcast
 952 under this chapter as provided in s. 550.2625(3). The moneys for
 953 quarter horse and harness breeders' awards will come from the
 954 breaks and uncashed tickets on live quarter horse and harness
 955 racing performances and 1 percent of handle on intertrack
 956 wagering. The funds for these breeders' awards shall be paid to
 957 the respective breeders' associations by the permitholders
 958 conducting the races.

959 Section 16. Subsections (2) and (3) of section 550.3345,
 960 Florida Statutes, are amended to read:

961 550.3345 ~~Conversion of quarter horse permit to a Limited~~
 962 thoroughbred racing permit.—

963 (2) A limited thoroughbred racing permit previously
 964 converted from ~~Notwithstanding any other provision of law, the~~
 965 ~~holder of a quarter horse racing permit pursuant to chapter~~
 966 2010-29, Laws of Florida, issued under s. 550.334 may only be
 967 held by, ~~within 1 year after the effective date of this section,~~
 968 ~~apply to the division for a transfer of the quarter horse racing~~
 969 ~~permit to a not-for-profit corporation formed under state law to~~
 970 ~~serve the purposes of the state as provided in subsection (1).~~
 971 The board of directors of the not-for-profit corporation must be
 972 comprised of 11 members, 4 of whom shall be designated by the
 973 applicant, 4 of whom shall be designated by the Florida
 974 Thoroughbred Breeders' Association, and 3 of whom shall be
 975 designated by the other 8 directors, with at least 1 of these 3
 976 members being an authorized representative of another
 977 thoroughbred permitholder in this state. A limited thoroughbred
 978 racing ~~The not-for-profit corporation shall submit an~~
 979 ~~application to the division for review and approval of the~~
 980 ~~transfer in accordance with s. 550.054. Upon approval of the~~
 981 ~~transfer by the division, and notwithstanding any other~~
 982 ~~provision of law to the contrary, the not-for-profit corporation~~
 983 ~~may, within 1 year after its receipt of the permit, request that~~
 984 ~~the division convert the quarter horse racing permit to a permit~~
 985 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
 986 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
 987 ~~racing permit nor its conversion to a limited thoroughbred~~
 988 ~~permit shall be subject to the mileage limitation or the~~

989 ~~ratification election as set forth under s. 550.054(2) or s.~~
 990 ~~550.0651. Upon receipt of the request for such conversion, the~~
 991 ~~division shall timely issue a converted permit. The converted~~
 992 permit and the not-for-profit corporation are ~~shall be~~ subject
 993 to the following requirements:

994 (a) All net revenues derived by the not-for-profit
 995 corporation under the thoroughbred horse racing permit, after
 996 the funding of operating expenses and capital improvements,
 997 shall be dedicated to the enhancement of thoroughbred purses and
 998 breeders', stallion, and special racing awards under this
 999 chapter; the general promotion of the thoroughbred horse
 1000 breeding industry; and the care in this state of thoroughbred
 1001 horses retired from racing.

1002 (b) From December 1 through April 30, no live thoroughbred
 1003 racing may be conducted under the permit on any day during which
 1004 another thoroughbred permitholder is conducting live
 1005 thoroughbred racing within 125 air miles of the not-for-profit
 1006 corporation's pari-mutuel facility unless the other thoroughbred
 1007 permitholder gives its written consent.

1008 (c) ~~After the conversion of the quarter horse racing~~
 1009 ~~permit and~~ the issuance of its initial license to conduct pari-
 1010 mutuel wagering meets of thoroughbred racing, the not-for-profit
 1011 corporation shall annually apply to the division for a license
 1012 pursuant to s. 550.5251.

1013 (d) Racing under the permit may take place only at the
 1014 location for which the original quarter horse racing permit was

1015 issued, which may be leased by the not-for-profit corporation
 1016 for that purpose; ~~however, the not-for-profit corporation may,~~
 1017 ~~without the conduct of any ratification election pursuant to s.~~
 1018 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
 1019 ~~another location in the same county provided that such~~
 1020 ~~relocation is approved under the zoning and land use regulations~~
 1021 ~~of the applicable county or municipality.~~

1022 (e) A limited thoroughbred racing ~~No permit converted~~
 1023 ~~under this section~~ is not eligible for transfer to another
 1024 person or entity.

1025 (3) Unless otherwise provided in this section, ~~after~~
 1026 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1027 be treated under the laws of this state as a thoroughbred racing
 1028 permit and as a thoroughbred racing permitholder, respectively,
 1029 with the exception of ss. 550.054(9)(c) and (d) and s.
 1030 550.09515(3).

1031 Section 17. Paragraph (a) of subsection (6) of section
 1032 550.3551, Florida Statutes, is amended to read:

1033 550.3551 Transmission of racing and jai alai information;
 1034 commingling of pari-mutuel pools.-

1035 (6) (a) ~~A maximum of 20 percent of the total number of~~
 1036 ~~races on which wagers are accepted by a greyhound permitholder~~
 1037 ~~not located as specified in s. 550.615(6) may be received from~~
 1038 ~~locations outside this state.~~ A horseracing or a jai alai
 1039 permitholder may not conduct fewer than eight live races or
 1040 games on any authorized race day except as provided in this

1041 subsection. A thoroughbred racing permitholder may not conduct
1042 fewer than eight live races on any race day without the written
1043 approval of the Florida Thoroughbred Breeders' Association and
1044 the Florida Horsemen's Benevolent and Protective Association,
1045 Inc., unless it is determined by the department that another
1046 entity represents a majority of the thoroughbred racehorse
1047 owners and trainers in the state. A harness permitholder may
1048 conduct fewer than eight live races on any authorized race day,
1049 except that such permitholder must conduct a full schedule of
1050 live racing during its race meet consisting of at least eight
1051 live races per authorized race day for at least 100 days. Any
1052 harness ~~horse~~ permitholder that during the preceding racing
1053 season conducted a full schedule of live racing may, at any time
1054 during its current race meet, receive full-card broadcasts of
1055 harness horse races conducted at harness racetracks outside this
1056 state at the harness track of the permitholder and accept wagers
1057 on such harness races. With specific authorization from the
1058 division for special racing events, a permitholder may conduct
1059 fewer than eight live races or games when the permitholder also
1060 broadcasts out-of-state races or games. The division may not
1061 grant more than two such exceptions a year for a permitholder in
1062 any 12-month period, and those two exceptions may not be
1063 consecutive.

1064 Section 18. Subsections (2), (4), (6), and (7) of section
1065 550.615, Florida Statutes, are amended, subsections (8), (9),
1066 and (10) are renumbered as subsections (6), (7), and (8),

1067 respectively, and amended, and a new subsection (9) is added to
 1068 that section, to read:

1069 550.615 Intertrack wagering.—

1070 (2) A ~~Any~~ track or fronton licensed under this chapter
 1071 which conducted a full schedule of live racing or games in the
 1072 preceding year and any greyhound racing permitholder that
 1073 conducted a full schedule of live racing for a period of at
 1074 least 10 consecutive state fiscal years after the 1996-1997
 1075 state fiscal year or that converted its permit to a permit to
 1076 conduct greyhound racing after that fiscal year is qualified to,
 1077 at any time, receive broadcasts of any class of pari-mutuel race
 1078 or game and accept wagers on such races or games conducted by
 1079 any class of permitholders licensed under this chapter.

1080 (4) In no event shall any intertrack wager be accepted on
 1081 the same class of live races or games of any permitholder
 1082 without the written consent of such operating permitholders
 1083 conducting the same class of live races or games if the guest
 1084 track is within the market area of such operating permitholder.
 1085 A greyhound racing permitholder licensed under this chapter
 1086 which accepts intertrack wagers on live greyhound signals is not
 1087 required to obtain the written consent required by this
 1088 subsection from any operating greyhound racing permitholder
 1089 within its market area.

1090 ~~(6) Notwithstanding the provisions of subsection (3), in~~
 1091 ~~any area of the state where there are three or more horserace~~
 1092 ~~permitholders within 25 miles of each other, intertrack wagering~~

1093 ~~between permitholders in said area of the state shall only be~~
 1094 ~~authorized under the following conditions: Any permitholder,~~
 1095 ~~other than a thoroughbred permitholder, may accept intertrack~~
 1096 ~~wagers on races or games conducted live by a permitholder of the~~
 1097 ~~same class or any harness permitholder located within such area~~
 1098 ~~and any harness permitholder may accept wagers on games~~
 1099 ~~conducted live by any jai alai permitholder located within its~~
 1100 ~~market area and from a jai alai permitholder located within the~~
 1101 ~~area specified in this subsection when no jai alai permitholder~~
 1102 ~~located within its market area is conducting live jai alai~~
 1103 ~~performances; any greyhound or jai alai permitholder may receive~~
 1104 ~~broadcasts of and accept wagers on any permitholder of the other~~
 1105 ~~class provided that a permitholder, other than the host track,~~
 1106 ~~of such other class is not operating a contemporaneous live~~
 1107 ~~performance within the market area.~~

1108 ~~(7) In any county of the state where there are only two~~
 1109 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 1110 ~~wager may be taken during the period of time when a permitholder~~
 1111 ~~is not licensed to conduct live races or games without the~~
 1112 ~~written consent of the other permitholder that is conducting~~
 1113 ~~live races or games. However, if neither permitholder is~~
 1114 ~~conducting live races or games, either permitholder may accept~~
 1115 ~~intertrack wagers on horseraces or on the same class of races or~~
 1116 ~~games, or on both horseraces and the same class of races or~~
 1117 ~~games as is authorized by its permit.~~

1118 (6)~~(8)~~ In any three contiguous counties of the state where

1119 | there are only three permitholders, all of which are greyhound
 1120 | permitholders, if a greyhound racing ~~any~~ permitholder leases the
 1121 | facility of another greyhound racing permitholder for the
 1122 | purpose of conducting all or any portion of ~~the conduct of~~ its
 1123 | live race meet pursuant to s. 550.475, such lessee may conduct
 1124 | intertrack wagering at its pre-lease permitted facility
 1125 | throughout the entire year, including while its live race meet
 1126 | is being conducted at the leased facility, ~~if such permitholder~~
 1127 | ~~has conducted a full schedule of live racing during the~~
 1128 | ~~preceding fiscal year at its pre-lease permitted facility or at~~
 1129 | ~~a leased facility, or combination thereof.~~

1130 | (7)-(9) In any two contiguous counties of the state in
 1131 | which there are located only four active permits, one for
 1132 | thoroughbred horse racing, two for greyhound racing ~~degracing~~,
 1133 | and one for jai alai games, no intertrack wager may be accepted
 1134 | on the same class of live races or games of any permitholder
 1135 | without the written consent of such operating permitholders
 1136 | conducting the same class of live races or games if the guest
 1137 | track is within the market area of such operating permitholder.

1138 | (8)-(10) All costs of receiving the transmission of the
 1139 | broadcasts shall be borne by the guest track; and all costs of
 1140 | sending the broadcasts shall be borne by the host track.

1141 | (9) A greyhound racing permitholder, identified in
 1142 | subsection (2), operating pursuant to a current year's operating
 1143 | license that specifies no live performances or less than a full
 1144 | schedule of live performances is qualified to:

1145 (a) Receive broadcasts at any time of any class of pari-
 1146 mutuel race or game and accept wagers on such races or games
 1147 conducted by any class of permitholder licensed under this
 1148 chapter; and

1149 (b) Accept wagers on live races conducted at out-of-state
 1150 greyhound tracks only on the days when such permitholder
 1151 receives all live races that any greyhound host track in this
 1152 state makes available.

1153 Section 19. Paragraphs (d), (f), and (g) of subsection (9)
 1154 of section 550.6305, Florida Statutes, are amended to read:

1155 550.6305 Intertrack wagering; guest track payments;
 1156 accounting rules.—

1157 (9) A host track that has contracted with an out-of-state
 1158 horse track to broadcast live races conducted at such out-of-
 1159 state horse track pursuant to s. 550.3551(5) may broadcast such
 1160 out-of-state races to any guest track and accept wagers thereon
 1161 in the same manner as is provided in s. 550.3551.

1162 (d) Any permitholder located in any area of the state
 1163 where there are only two permits, one for dogracing and one for
 1164 jai alai, and any permitholder that converted its permit under
 1165 s. 550.054(14), as created by s. 6 of chapter 2009-170, Laws of
 1166 Florida, may accept wagers on rebroadcasts of out-of-state
 1167 thoroughbred horse races from an in-state thoroughbred horse
 1168 racing permitholder and shall not be subject to the provisions
 1169 of paragraph (b) if such thoroughbred horse racing permitholder
 1170 located within the area specified in this paragraph is both

1171 conducting live races and accepting wagers on out-of-state
 1172 horseraces. In such case, the guest permitholder shall be
 1173 entitled to 45 percent of the net proceeds on wagers accepted at
 1174 the guest facility. The remaining proceeds shall be distributed
 1175 as follows: one-half shall be retained by the host facility and
 1176 one-half shall be paid by the host facility as purses at the
 1177 host facility.

1178 (f) Any permitholder located in any area of the state
 1179 where there are only two permits, one for dogracing and one for
 1180 jai alai, and any permitholder that converted its permit under
 1181 former s. 550.054(14), as created by s. 6 of chapter 2009-170,
 1182 Laws of Florida, may accept wagers on rebroadcasts of out-of-
 1183 state harness horse races from an in-state harness horse racing
 1184 permitholder and shall not be subject to the provisions of
 1185 paragraph (b) if such harness horse racing permitholder located
 1186 within the area specified in this paragraph is conducting live
 1187 races. In such case, the guest permitholder shall be entitled to
 1188 45 percent of the net proceeds on wagers accepted at the guest
 1189 facility. The remaining proceeds shall be distributed as
 1190 follows: one-half shall be retained by the host facility and
 1191 one-half shall be paid by the host facility as purses at the
 1192 host facility.

1193 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
 1194 accepts wagers on a simulcast signal must make the signal
 1195 available to any permitholder that is eligible to conduct
 1196 intertrack wagering under the provisions of ss. 550.615-

1197 550.6345.

1198 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
 1199 accepts wagers on a simulcast signal received after 6 p.m. must
 1200 make such signal available to any permitholder that is eligible
 1201 to conduct intertrack wagering under the provisions of ss.
 1202 550.615-550.6345, ~~including any permitholder located as~~
 1203 ~~specified in s. 550.615(6)~~. Such guest permitholders are
 1204 authorized to accept wagers on such simulcast signal,
 1205 notwithstanding any other provision of this chapter to the
 1206 contrary.

1207 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
 1208 accepts wagers on a simulcast signal received after 6 p.m. must
 1209 make such signal available to any permitholder that is eligible
 1210 to conduct intertrack wagering under the provisions of ss.
 1211 550.615-550.6345, ~~including any permitholder located as~~
 1212 ~~specified in s. 550.615(9)~~. Such guest permitholders are
 1213 authorized to accept wagers on such simulcast signals for a
 1214 number of performances not to exceed that which constitutes a
 1215 full schedule of live races for a quarter horse permitholder
 1216 pursuant to s. 550.002(11), notwithstanding any other provision
 1217 of this chapter to the contrary, ~~except that the restrictions~~
 1218 ~~provided in s. 550.615(9)(a) apply to wagers on such simulcast~~
 1219 ~~signals.~~

1220 2. A ~~to~~ thoroughbred racing permitholder may not ~~shall~~ be
 1221 required to continue to rebroadcast a simulcast signal to any
 1222 in-state permitholder if the average per performance gross

1223 receipts returned to the host permitholder over the preceding
 1224 30-day period were less than \$100. Subject to the provisions of
 1225 s. 550.615(4), as a condition of receiving rebroadcasts of
 1226 thoroughbred simulcast signals under this paragraph, a guest
 1227 permitholder must accept intertrack wagers on all live races
 1228 conducted by all then-operating thoroughbred racing
 1229 permitholders.

1230 Section 20. Section 550.6308, Florida Statutes, is amended
 1231 to read:

1232 550.6308 Limited intertrack wagering license.—In
 1233 recognition of the economic importance of the thoroughbred
 1234 breeding industry to this state, its positive impact on tourism,
 1235 and of the importance of a permanent thoroughbred sales facility
 1236 as a key focal point for the activities of the industry, a
 1237 limited license to conduct intertrack wagering is established to
 1238 ensure the continued viability and public interest in
 1239 thoroughbred breeding in Florida.

1240 (1) (a) Upon application to the division on or before
 1241 January 31 of each year, any person that is licensed to conduct
 1242 public sales of thoroughbred horses pursuant to s. 535.01, that
 1243 has conducted at least 8 ~~15~~ days of thoroughbred horse sales at
 1244 a permanent sales facility in this state for at least 3
 1245 consecutive years, ~~and that has conducted at least 1 day of~~
 1246 ~~nonwagering thoroughbred racing in this state, with a purse~~
 1247 ~~structure of at least \$250,000 per year for 2 consecutive years~~
 1248 ~~before such application,~~ shall be issued a license, subject to

1249 the conditions set forth in this section, to conduct intertrack
 1250 wagering at such a permanent sales facility during the following
 1251 periods:

1252 1.(a) Up to 21 days in connection with thoroughbred sales;

1253 2.(b) Between November 1 and May 8;

1254 3.(c) Between May 9 and October 31 at such times and on
 1255 such days as any thoroughbred, jai alai, or a greyhound racing
 1256 permitholder in the same county is not conducting live
 1257 performances; provided that any such permitholder may waive this
 1258 requirement, in whole or in part, and allow the licensee under
 1259 this section to conduct intertrack wagering during one or more
 1260 of the permitholder's live performances; and

1261 4.(d) During the weekend of the Kentucky Derby, the
 1262 Preakness, the Belmont, and a Breeders' Cup Meet that is
 1263 conducted before November 1 and after May 8.

1264 (b) Only ~~No more than~~ one such license may be issued, and
 1265 the no-such license may not be issued for a facility located
 1266 within 50 miles of any for-profit thoroughbred racing
 1267 permitholder's licensed track.

1268 (2) If more than one application is submitted for such
 1269 license, the division shall determine which applicant shall be
 1270 granted the license. In making its determination, the division
 1271 shall grant the license to the applicant demonstrating superior
 1272 capabilities, as measured by the length of time the applicant
 1273 has been conducting thoroughbred sales within this state or
 1274 elsewhere, the applicant's total volume of thoroughbred horse

1275 sales, within this state or elsewhere, the length of time the
 1276 applicant has maintained a permanent thoroughbred sales facility
 1277 in this state, and the quality of the facility.

1278 (3) The applicant must comply with the provisions of ss.
 1279 550.125 and 550.1815.

1280 ~~(4) Intertrack wagering under this section may be~~
 1281 ~~conducted only on thoroughbred horse racing, except that~~
 1282 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
 1283 ~~race or game conducted by any class of permitholders licensed~~
 1284 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
 1285 ~~permitholders in the same county as the licensee under this~~
 1286 ~~section give their consent.~~

1287 (4)~~(5)~~ The licensee shall be considered a guest track
 1288 under this chapter. The licensee shall pay 2.5 percent of the
 1289 total contributions to the daily pari-mutuel pool on wagers
 1290 accepted at the licensee's facility on greyhound races or jai
 1291 alai games to the thoroughbred racing permitholder that is
 1292 conducting live races for purses to be paid during its current
 1293 racing meet. If more than one thoroughbred racing permitholder
 1294 is conducting live races on a day during which the licensee is
 1295 conducting intertrack wagering on greyhound races or jai alai
 1296 games, the licensee shall allocate these funds between the
 1297 operating thoroughbred racing permitholders on a pro rata basis
 1298 based on the total live handle at the operating permitholders'
 1299 facilities.

1300 Section 21. Section 551.101, Florida Statutes, is amended

1301 to read:

1302 551.101 Slot machine gaming authorized.—Possession of slot
 1303 machines and conduct of slot machine gaming is only allowed at
 1304 licensed eligible facilities pursuant to this part and
 1305 department rule. ~~Any licensed pari-mutuel facility located in~~
 1306 ~~Miami Dade County or Broward County existing at the time of~~
 1307 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1308 ~~conducted live racing or games during calendar years 2002 and~~
 1309 ~~2003 may possess slot machines and conduct slot machine gaming~~
 1310 ~~at the location where the pari-mutuel permitholder is authorized~~
 1311 ~~to conduct pari-mutuel wagering activities pursuant to such~~
 1312 ~~permitholder's valid pari-mutuel permit provided that a majority~~
 1313 ~~of voters in a countywide referendum have approved slot machines~~
 1314 ~~at such facility in the respective county.~~ Notwithstanding any
 1315 other provision of law, it is not a crime for a person to
 1316 participate in slot machine gaming at a pari-mutuel facility
 1317 licensed to possess slot machines and conduct slot machine
 1318 gaming or to participate in slot machine gaming described in
 1319 this chapter.

1320 Section 22. Subsections (4) and (11) of section 551.102,
 1321 Florida Statutes, are amended to read:

1322 551.102 Definitions.—As used in this chapter, the term:

1323 (4) "Eligible facility" means a ~~any~~ licensed pari-mutuel
 1324 facility that meets the requirements of s. 551.104(3) ~~located in~~
 1325 ~~Miami Dade County or Broward County existing at the time of~~
 1326 ~~adoption of s. 23, Art. X of the State Constitution that has~~

1327 ~~conducted live racing or games during calendar years 2002 and~~
 1328 ~~2003 and has been approved by a majority of voters in a~~
 1329 ~~countywide referendum to have slot machines at such facility in~~
 1330 ~~the respective county; any licensed pari-mutuel facility located~~
 1331 ~~within a county as defined in s. 125.011, provided such facility~~
 1332 ~~has conducted live racing for 2 consecutive calendar years~~
 1333 ~~immediately preceding its application for a slot machine~~
 1334 ~~license, pays the required license fee, and meets the other~~
 1335 ~~requirements of this chapter; or any licensed pari-mutuel~~
 1336 ~~facility in any other county in which a majority of voters have~~
 1337 ~~approved slot machines at such facilities in a countywide~~
 1338 ~~referendum held pursuant to a statutory or constitutional~~
 1339 ~~authorization after the effective date of this section in the~~
 1340 ~~respective county, provided such facility has conducted a full~~
 1341 ~~schedule of live racing for 2 consecutive calendar years~~
 1342 ~~immediately preceding its application for a slot machine~~
 1343 ~~license, pays the required license ~~licensed~~ fee, and meets the~~
 1344 other requirements of this chapter.

1345 (11) "Slot machine licensee" means a pari-mutuel
 1346 permitholder that ~~who~~ holds a slot machine license ~~issued by the~~
 1347 ~~division pursuant to this chapter that authorizes such person to~~
 1348 ~~possess a slot machine within facilities specified in s. 23,~~
 1349 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1350 Section 23. Subsection (2) and paragraph (c) of subsection
 1351 (4) of section 551.104, Florida Statutes, are amended to read:
 1352 551.104 License to conduct slot machine gaming.—

1353 (2) An application may be approved by the division only
 1354 if:

1355 (a) The facility at which the applicant seeks to operate
 1356 slot machines is:

1357 1. A licensed pari-mutuel facility where live racing or
 1358 games were conducted during calendar years 2002 and 2003,
 1359 located in Miami-Dade County or Broward County, and authorized
 1360 for slot machine licensure pursuant to s. 23, Art. X of the
 1361 State Constitution; or

1362 2. A licensed pari-mutuel facility where a full schedule
 1363 of live horseracing has been conducted for 2 consecutive
 1364 calendar years immediately preceding its application for a slot
 1365 machine license and located within a county as defined in s.
 1366 125.011.

1367 (b) ~~after~~ The voters of the county where the applicant's
 1368 facility is located have authorized by referendum slot machines
 1369 within pari-mutuel facilities in that county ~~as specified in s.~~
 1370 ~~23, Art. X of the State Constitution.~~

1371 (c) Issuance of the license would not trigger a reduction
 1372 in revenue-sharing payments under the Gaming Compact between the
 1373 Seminole Tribe of Florida and the State of Florida.

1374 (4) As a condition of licensure and to maintain continued
 1375 authority for the conduct of slot machine gaming, the slot
 1376 machine licensee shall:

1377 (c) Conduct no fewer than a full schedule of live racing
 1378 or games as defined in s. 550.002(11). A permitholder's

1379 responsibility to conduct such number of live races or games
 1380 shall be reduced by the number of races or games that could not
 1381 be conducted due to the direct result of fire, war, hurricane,
 1382 or other disaster or event beyond the control of the
 1383 permitholder. A greyhound racing permitholder is exempt from the
 1384 live racing requirement of this paragraph if the permitholder
 1385 conducted a full schedule of live racing for a period of at
 1386 least 10 consecutive state fiscal years after the 2002-2003
 1387 state fiscal year.

1388 Section 24. Subsections (2) and (4) of section 551.114,
 1389 Florida Statutes, are amended to read:

1390 551.114 Slot machine gaming areas.—

1391 (2) The slot machine licensee shall display pari-mutuel
 1392 races or games within the designated slot machine gaming areas
 1393 and offer patrons within the designated slot machine gaming
 1394 areas the ability to engage in pari-mutuel wagering on any live,
 1395 intertrack, and simulcast races conducted or offered to patrons
 1396 of the licensed facility.

1397 (4) Designated slot machine gaming areas may be located
 1398 within the current live gaming facility or in an existing
 1399 building that must be contiguous and connected to the live
 1400 gaming facility. If a designated slot machine gaming area is to
 1401 be located in a building that is to be constructed, that new
 1402 building must be contiguous and connected to the live gaming
 1403 facility. For a greyhound racing permitholder licensed to
 1404 conduct pari-mutuel activities pursuant to a current year's

1405 operating license that does not require live performances,
 1406 designated slot machine gaming areas may be located only within
 1407 the eligible facility for which the initial annual slot machine
 1408 license was issued.

1409 Section 25. Section 551.116, Florida Statutes, is amended
 1410 to read:

1411 551.116 Days and hours of operation.—Slot machine gaming
 1412 areas may be open daily throughout the year. The slot machine
 1413 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
 1414 ~~on Monday through Friday and 24 hours per day on Saturday and~~
 1415 ~~Sunday and on those holidays specified in s. 110.117(1).~~

1416 Section 26. Paragraph (b) of subsection (7), paragraph (d)
 1417 of subsection (13), and subsections (16) and (17) of section
 1418 849.086, Florida Statutes, are amended, paragraphs (c) and (d)
 1419 of subsection (5) are redesignated as paragraphs (d) and (e),
 1420 respectively, and a new paragraph (c) is added to that
 1421 subsection, to read:

1422 849.086 Cardrooms authorized.—

1423 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
 1424 operate a cardroom in this state unless such person holds a
 1425 valid cardroom license issued pursuant to this section.

1426 (c) A greyhound racing permitholder is exempt from the
 1427 live racing requirements of this section if it conducted a full
 1428 schedule of live racing for a period of at least 10 consecutive
 1429 state fiscal years after the 1996-1997 state fiscal year or if
 1430 it converted its permit to a permit to conduct greyhound racing

1431 after that fiscal year. However, as a condition of cardroom
 1432 licensure, greyhound racing permitholders who are not conducting
 1433 a full schedule of live racing must conduct intertrack wagering
 1434 on greyhound signals, to the extent available, on each day of
 1435 cardroom operation.

1436 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1437 (b) Any cardroom operator may operate a cardroom at the
 1438 pari-mutuel facility daily throughout the year, if the
 1439 permitholder meets the requirements under paragraph (5) (b). The
 1440 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
 1441 ~~Monday through Friday and 24 hours per day on Saturday and~~
 1442 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1443 (13) TAXES AND OTHER PAYMENTS.—

1444 (d)1. Each greyhound racing permitholder conducting live
 1445 racing and jai alai permitholder that operates a cardroom
 1446 facility shall use at least 4 percent of such permitholder's
 1447 cardroom monthly gross receipts to supplement greyhound purses
 1448 or jai alai prize money, respectively, during the permitholder's
 1449 current or next ensuing pari-mutuel meet.

1450 2. Each thoroughbred and harness horse racing permitholder
 1451 that operates a cardroom facility shall use at least 50 percent
 1452 of such permitholder's cardroom monthly net proceeds as follows:
 1453 47 percent to supplement purses and 3 percent to supplement
 1454 breeders' awards during the permitholder's next ensuing racing
 1455 meet.

1456 3. A ~~No~~ cardroom license or renewal thereof may not ~~shall~~

1457 | be issued to an applicant holding a permit under chapter 550 to
 1458 | conduct pari-mutuel wagering meets of quarter horse racing
 1459 | unless the applicant has on file with the division a binding
 1460 | written agreement between the applicant and the Florida Quarter
 1461 | Horse Racing Association or the association representing a
 1462 | majority of the horse owners and trainers at the applicant's
 1463 | eligible facility, governing the payment of purses on live
 1464 | quarter horse races conducted at the licensee's pari-mutuel
 1465 | facility. The agreement governing purses may direct the payment
 1466 | of such purses from revenues generated by any wagering or gaming
 1467 | the applicant is authorized to conduct under Florida law. All
 1468 | purses shall be subject to the terms of chapter 550.

1469 | (16) LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
 1470 | mutuel Wagering may ~~shall~~ not issue any initial license under
 1471 | this section except upon proof in such form as the division may
 1472 | prescribe that the local government where the applicant for such
 1473 | license desires to conduct cardroom gaming has voted to approve
 1474 | such activity by a majority vote of the governing body of the
 1475 | municipality or the governing body of the county if the facility
 1476 | is not located in a municipality.

1477 | (17) CHANGE OF LOCATION; REFERENDUM.—

1478 | ~~(a)~~ Notwithstanding any provisions of this section, no
 1479 | cardroom gaming license issued under this section shall be
 1480 | transferred, or reissued when such reissuance is in the nature
 1481 | of a transfer, so as to permit or authorize a licensee to change
 1482 | the location of the cardroom. except upon proof in such form as

1483 ~~the division may prescribe that a referendum election has been~~
 1484 ~~held:~~

1485 ~~1. If the proposed new location is within the same county~~
 1486 ~~as the already licensed location, in the county where the~~
 1487 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1488 ~~of the electors voting on the question in such election voted in~~
 1489 ~~favor of the transfer of such license. However, the division~~
 1490 ~~shall transfer, without requirement of a referendum election,~~
 1491 ~~the cardroom license of any permit holder that relocated its~~
 1492 ~~permit pursuant to s. 550.0555.~~

1493 ~~2. If the proposed new location is not within the same~~
 1494 ~~county as the already licensed location, in the county where the~~
 1495 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1496 ~~of the electors voting on that question in each such election~~
 1497 ~~voted in favor of the transfer of such license.~~

1498 ~~(b) The expense of each referendum held under the~~
 1499 ~~provisions of this subsection shall be borne by the licensee~~
 1500 ~~requesting the transfer.~~

1501 Section 27. The Division of Pari-mutuel Wagering of the
 1502 Department of Business and Professional Regulation shall revoke
 1503 any for-profit permit to conduct pari-mutuel wagering when a
 1504 permit holder has not conducted live events within the 24 months
 1505 preceding the effective date of this act. A permit revoked under
 1506 this section may not be reissued.

1507 Section 28. If any provision of this act or its
 1508 application to any person or circumstance is held invalid, the

PCS for HB 1233

2015

1509 invalidity does not affect other provisions or applications of
1510 this act which can be given effect without the invalid provision
1511 or application, and to this end the provisions of this act are
1512 severable.

1513 Section 29. This act shall take effect upon becoming a
1514 law.