



809258

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/08/2015	.	
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The Committee on Regulated Industries (Sachs) recommended the following:

Senate Amendment (with title amendment)

Between lines 45 and 46

insert:

Section 2. Subsection (1) of section 550.01215, Florida Statutes, is amended to read:

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

(1) Each permitholder shall annually, during the period between December 15 and January 4, file in writing with the



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11 division its application for a license to conduct pari-mutuel
12 wagering, including intertrack and simulcast races wagering for
13 greyhound permitholders that do not conduct live performances,
14 during the next state fiscal year. Each application shall
15 specify the number, dates, and starting times of all
16 performances which the permitholder intends to conduct. It shall
17 also specify which performances will be conducted as charity or
18 scholarship performances. In addition, each application for a
19 license shall include, for each permitholder which elects to
20 operate a cardroom, the dates and periods of operation the
21 permitholder intends to operate the cardroom or, for each
22 thoroughbred permitholder which elects to receive or rebroadcast
23 out-of-state races after 7 p.m., the dates for all performances
24 which the permitholder intends to conduct. Permitholders shall
25 be entitled to amend their applications through February 28,
26 except that, for licenses for the 2015-2016 fiscal year, a
27 greyhound permitholder is entitled to amend such license through
28 August 31, 2015.

29 Section 3. Subsections (1) and (7) of section 550.0351,
30 Florida Statutes, are amended to read:

31 550.0351 Charity racing days.—

32 (1) The division shall, upon the request of a permitholder,
33 authorize each horseracing permitholder, ~~dogracing permitholder,~~
34 and jai alai permitholder up to five charity or scholarship days
35 in addition to the regular racing days authorized by law.

36 ~~(7) In addition to the charity days authorized by this~~
37 ~~section, any dogracing permitholder may allow its facility to be~~
38 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~
39 ~~day during each racing season by any charitable, civic, or~~



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40 ~~nonprofit organization for the purpose of conducting "hound dog~~
41 ~~derbies" or "mutt derbies" if only dogs other than those usually~~
42 ~~used in dogracing (greyhounds) are permitted to race and if~~
43 ~~adults and minors are allowed to participate as dog owners or~~
44 ~~spectators. During these racing events, betting, gambling, and~~
45 ~~the sale or use of alcoholic beverages is prohibited.~~

46 Section 4. Paragraph (b) of subsection (14) of section
47 550.054, Florida Statutes, is amended to read:

48 550.054 Application for permit to conduct pari-mutuel
49 wagering.—

50 (14)

51 (b) The division, upon application from the holder of a jai
52 alai permit meeting all conditions of this section, shall
53 convert the permit and shall issue to the permitholder a permit
54 to conduct greyhound racing. ~~A permitholder of a permit~~
55 ~~converted under this section shall be required to apply for and~~
56 ~~conduct a full schedule of live racing each fiscal year to be~~
57 ~~eligible for any tax credit provided by this chapter.~~ The holder
58 of a permit converted pursuant to this subsection or any holder
59 of a permit to conduct greyhound racing located in a county in
60 which it is the only permit issued pursuant to this section who
61 operates at a leased facility pursuant to s. 550.475 may move
62 the location for which the permit has been issued to another
63 location within a 30-mile radius of the location fixed in the
64 permit issued in that county, provided the move does not cross
65 the county boundary and such location is approved under the
66 zoning regulations of the county or municipality in which the
67 permit is located, and upon such relocation may use the permit
68 for the conduct of pari-mutuel wagering and the operation of a



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69 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall
70 apply to any permit converted under this subsection and shall
71 continue to apply to any permit which was previously included
72 under and subject to such provisions before a conversion
73 pursuant to this section occurred.

74 Section 5. Subsections (1), (2), and (3) of section
75 550.0951, Florida Statutes, are amended to read:

76 550.0951 Payment of daily license fee and taxes;
77 penalties.—

78 (1)~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
79 business of conducting horserace meets ~~race meetings~~ or jai alai
80 games under this chapter, hereinafter referred to as the
81 “permitholder,” “licensee,” or “permittee,” shall pay to the
82 division, for the use of the division, a daily license fee on
83 each live or simulcast pari-mutuel event of \$100 for each
84 horserace and ~~\$80 for each dograce~~ and \$40 for each jai alai
85 game conducted at a racetrack or fronton licensed under this
86 chapter. ~~In addition to the tax exemption specified in s.~~
87 ~~550.09514(1) of \$360,000 or \$500,000 per greyhound permitholder~~
88 ~~per state fiscal year, each greyhound permitholder shall receive~~
89 ~~in the current state fiscal year a tax credit equal to the~~
90 ~~number of live greyhound races conducted in the previous state~~
91 ~~fiscal year times the daily license fee specified for each~~
92 ~~dograce in this subsection applicable for the previous state~~
93 ~~fiscal year. This tax credit and the exemption in s.~~
94 ~~550.09514(1) shall be applicable to any tax imposed by this~~
95 ~~chapter or the daily license fees imposed by this chapter except~~
96 ~~during any charity or scholarship performances conducted~~
97 ~~pursuant to s. 550.0351. Each nongreyhound permitholder shall~~



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98 pay daily license fees not to exceed \$500 per day on any
99 simulcast races or games on which such permitholder accepts
100 wagers regardless of the number of out-of-state events taken or
101 the number of out-of-state locations from which such events are
102 taken. This license fee shall be deposited with the Chief
103 Financial Officer to the credit of the Pari-mutuel Wagering
104 Trust Fund.

105 ~~(b) Each permitholder that cannot utilize the full amount~~
106 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
107 ~~550.09514(1) or the daily license fee credit provided in this~~
108 ~~section may, after notifying the division in writing, elect once~~
109 ~~per state fiscal year on a form provided by the division to~~
110 ~~transfer such exemption or credit or any portion thereof to any~~
111 ~~greyhound permitholder which acts as a host track to such~~
112 ~~permitholder for the purpose of intertrack wagering. Once an~~
113 ~~election to transfer such exemption or credit is filed with the~~
114 ~~division, it shall not be rescinded. The division shall~~
115 ~~disapprove the transfer when the amount of the exemption or~~
116 ~~credit or portion thereof is unavailable to the transferring~~
117 ~~permitholder or when the permitholder who is entitled to~~
118 ~~transfer the exemption or credit or who is entitled to receive~~
119 ~~the exemption or credit owes taxes to the state pursuant to a~~
120 ~~deficiency letter or administrative complaint issued by the~~
121 ~~division. Upon approval of the transfer by the division, the~~
122 ~~transferred tax exemption or credit shall be effective for the~~
123 ~~first performance of the next payment period as specified in~~
124 ~~subsection (5). The exemption or credit transferred to such host~~
125 ~~track may be applied by such host track against any taxes~~
126 ~~imposed by this chapter or daily license fees imposed by this~~



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127 ~~chapter. The greyhound permitholder host track to which such~~
128 ~~exemption or credit is transferred shall reimburse such~~
129 ~~permitholder the exact monetary value of such transferred~~
130 ~~exemption or credit as actually applied against the taxes and~~
131 ~~daily license fees of the host track. The division shall ensure~~
132 ~~that all transfers of exemption or credit are made in accordance~~
133 ~~with this subsection and shall have the authority to adopt rules~~
134 ~~to ensure the implementation of this section.~~

135 (2) ADMISSION TAX.—

136 (a) An admission tax equal to 15 percent of the admission
137 charge for entrance to the permitholder's facility and
138 grandstand area, ~~or 10 cents, whichever is greater,~~ is imposed
139 on each person attending a horserace, dograce, or jai alai game.
140 The permitholder shall be responsible for collecting the
141 admission tax.

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

146 (c) A permitholder may issue tax-free passes to its
147 officers, officials, and employees or other persons actually
148 engaged in working at the racetrack, including accredited press
149 representatives such as reporters and editors, and may also
150 issue tax-free passes to other permitholders for the use of
151 their officers and officials. The permitholder shall file with
152 the division a list of all persons to whom tax-free passes are
153 issued under this paragraph.

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



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156 hereinafter referred to as "handle," on races or games conducted
157 by the permitholder. The tax is imposed daily and is based on
158 the total contributions to all pari-mutuel pools conducted
159 during the daily performance. If a permitholder conducts more
160 than one performance daily, the tax is imposed on each
161 performance separately.

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

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

169 2. The tax on handle for jai alai is 7.1 percent of the
170 handle.

171 (c)1. The tax on handle for intertrack wagering is 2.0
172 percent of the handle if the host track is a horse track, 3.3
173 percent if the host track is a harness track, 1.28 ~~5.5~~ percent
174 if the host track is a dog track to be remitted by the guest
175 track, and 7.1 percent if the host track is a jai alai fronton.
176 The tax on handle for intertrack wagering is 0.5 percent if the
177 host track and the guest track are thoroughbred permitholders or
178 if the guest track is located outside the market area of a
179 nongreyhound ~~the~~ host track and within the market area of a
180 thoroughbred permitholder currently conducting a live race meet.
181 The tax on handle for intertrack wagering on rebroadcasts of
182 simulcast thoroughbred horseraces is 2.4 percent of the handle
183 and 1.5 percent of the handle for intertrack wagering on
184 rebroadcasts of simulcast harness horseraces. The tax shall be



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185 deposited into the Pari-mutuel Wagering Trust Fund.

186 2. The tax on handle for intertrack wagers is accepted by
187 ~~any dog track located in an area of the state in which there are~~
188 ~~only three permitholders, all of which are greyhound~~
189 ~~permitholders, located in three contiguous counties, from any~~
190 ~~greyhound permitholder also located within such area or any dog~~
191 ~~track or jai alai fronton located as specified in s. 550.615(6)~~
192 ~~or (9), on races or games received from the same class of~~
193 ~~permitholder located within the same market area is 3.9 percent~~
194 ~~if the host facility is a greyhound permitholder and, if the~~
195 ~~host facility is a jai alai permitholder, the rate shall be 6.1~~
196 ~~percent if the host facility is a jai alai permitholder, except~~
197 ~~that it shall be 2.3 percent on handle at such time as the total~~
198 ~~tax on intertrack handle paid to the division by the~~
199 ~~permitholder during the current state fiscal year exceeds the~~
200 ~~total tax on intertrack handle paid to the division by the~~
201 ~~permitholder during the 1992-1993 state fiscal year.~~

202 (d) Notwithstanding any other provision of this chapter, in
203 order to protect the Florida jai alai industry, effective July
204 1, 2000, a jai alai permitholder may not be taxed on live handle
205 at a rate higher than 2 percent.

206 Section 6. Subsections (1) and (2) of section 550.09514,
207 Florida Statutes, are amended to read:

208 550.09514 Greyhound dogracing taxes; purse requirements.-

209 (1) ~~Wagering on greyhound racing is subject to a tax on~~
210 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
211 ~~However, each permitholder shall pay no tax on handle until such~~
212 ~~time as this subsection has resulted in a tax savings per state~~
213 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~



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214 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
215 ~~remainder of the permitholder's current race meet. For the three~~
216 ~~permitholders that conducted a full schedule of live racing in~~
217 ~~1995, and are closest to another state that authorizes greyhound~~
218 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
219 ~~year shall be \$500,000. The provisions of this subsection~~
220 ~~relating to tax exemptions shall not apply to any charity or~~
221 ~~scholarship performances conducted pursuant to s. 550.0351.~~

222 ~~(2)~~(a) The division shall determine for each greyhound
223 permitholder the annual purse percentage rate of live handle for
224 the state fiscal year 1993-1994 by dividing total purses paid on
225 live handle by the permitholder, exclusive of payments made from
226 outside sources, during the 1993-1994 state fiscal year by the
227 permitholder's live handle for the 1993-1994 state fiscal year.
228 Any greyhound ~~Each~~ permitholder conducting live racing during a
229 fiscal year shall pay as purses for such live races conducted
230 during its current race meet a percentage of its live handle not
231 less than the percentage determined under this paragraph,
232 exclusive of payments made by outside sources, for its 1993-1994
233 state fiscal year.

234 (b) Except as otherwise set forth herein, in addition to
235 the minimum purse percentage required by paragraph (a), each
236 greyhound permitholder conducting live racing during a fiscal
237 year shall pay as purses an annual amount equal to \$60 for each
238 live race conducted ~~75 percent of the daily license fees paid by~~
239 the greyhound ~~each~~ permitholder in ~~for~~ the preceding 1994-1995
240 fiscal year. ~~This purse supplement shall be disbursed weekly~~
241 ~~during the permitholder's race meet in an amount determined by~~
242 ~~dividing the annual purse supplement by the number of~~



243 ~~performances approved for the permitholder pursuant to its~~
244 ~~annual license and multiplying that amount by the number of~~
245 ~~performances conducted each week. For the greyhound~~
246 ~~permitholders in the county where there are two greyhound~~
247 ~~permitholders located as specified in s. 550.615(6), such~~
248 ~~permitholders shall pay in the aggregate an amount equal to 75~~
249 ~~percent of the daily license fees paid by such permitholders for~~
250 ~~the 1994-1995 fiscal year. These permitholders shall be jointly~~
251 ~~and severally liable for such purse payments. The additional~~
252 ~~purses provided by this paragraph must be used exclusively for~~
253 ~~purses other than stakes and shall be disbursed weekly during~~
254 ~~the permitholder's race meet. The division shall conduct audits~~
255 ~~necessary to ensure compliance with this section.~~

256 (c)1. Each greyhound permitholder licensed to conduct live
257 racing when conducting at least three live performances during
258 any week shall pay purses in that week on wagers it accepts as a
259 guest track on intertrack and simulcast greyhound races at the
260 same rate as it pays on live races. Each greyhound permitholder
261 ~~when conducting at least three live racing performances during~~
262 ~~any week~~ shall pay purses in that week, at the same rate as it
263 pays on live races, on wagers accepted on greyhound races at a
264 guest track which is not conducting live racing and is located
265 within the same market area as the greyhound permitholder
266 ~~conducting at least three live racing performances during any~~
267 ~~week.~~

268 2. Each host greyhound permitholder shall pay purses on its
269 simulcast and intertrack broadcasts of greyhound races to guest
270 facilities that are located outside its market area in an amount
271 equal to one quarter of an amount determined by subtracting the



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272 transmission costs of sending the simulcast or intertrack
273 broadcasts from an amount determined by adding the fees received
274 for greyhound simulcast races plus 3 percent of the greyhound
275 intertrack handle at guest facilities that are located outside
276 the market area of the host and that paid contractual fees to
277 the host for such broadcasts of greyhound races.

278 (d) The division shall require sufficient documentation
279 from each greyhound permitholder regarding purses paid on live
280 racing to assure that the annual purse percentage rates paid by
281 each greyhound permitholder conducting ~~on the~~ live races are not
282 reduced below those paid during the 1993-1994 state fiscal year.
283 The division shall require sufficient documentation from each
284 greyhound permitholder conducting live races to assure that the
285 purses paid by each permitholder on the greyhound intertrack and
286 simulcast broadcasts are in compliance with the requirements of
287 paragraph (c).

288 (e) In addition to the purse requirements of paragraphs
289 (a)-(c), each greyhound permitholder conducting live races shall
290 pay as purses an amount equal to one-third of the amount of the
291 tax reduction on live and simulcast handle applicable to such
292 permitholder as a result of the reductions in tax rates provided
293 ~~by this act~~ through the amendments to s. 550.0951(3) enacted in
294 2000. With respect to intertrack wagering when the host and
295 guest tracks are greyhound permitholders not within the same
296 market area, an amount equal to the tax reduction applicable to
297 the guest track handle as a result of the reduction in tax rate
298 ~~provided by this act~~ through the amendment to s. 550.0951(3)
299 enacted in 2000 shall be distributed to the guest track, one-
300 third of which amount shall be paid as purses at the guest



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301 track. However, if the guest track is a greyhound permitholder
302 within the market area of the host or if the guest track is not
303 a greyhound permitholder, an amount equal to such tax reduction
304 applicable to the guest track handle shall be retained by the
305 host track, one-third of which amount shall be paid as purses at
306 the host track. These purse funds shall be disbursed in the week
307 received if the permitholder conducts at least one live
308 performance during that week. If the permitholder does not
309 conduct at least one live performance during the week in which
310 the purse funds are received, the purse funds shall be disbursed
311 weekly during the permitholder's next race meet in an amount
312 determined by dividing the purse amount by the number of
313 performances approved for the permitholder pursuant to its
314 annual license, and multiplying that amount by the number of
315 performances conducted each week. The division shall conduct
316 audits necessary to ensure compliance with this paragraph.

317 (f) Each greyhound permitholder conducting live racing
318 shall, during the permitholder's race meet, supply kennel
319 operators and the Division of Pari-Mutuel Wagering with a weekly
320 report showing purses paid on live greyhound races and all
321 greyhound intertrack and simulcast broadcasts, including both as
322 a guest and a host together with the handle or commission
323 calculations on which such purses were paid and the transmission
324 costs of sending the simulcast or intertrack broadcasts, so that
325 the kennel operators may determine statutory and contractual
326 compliance.

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



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

332 (h) At the request of a majority of kennel operators under
333 contract with a greyhound permitholder conducting live racing,
334 the permitholder shall make deductions from purses paid to each
335 kennel operator electing such deduction and shall make a direct
336 payment of such deductions to the local association of greyhound
337 kennel operators formed by a majority of kennel operators under
338 contract with the permitholder. The amount of the deduction
339 shall be at least 1 percent of purses, as determined by the
340 local association of greyhound kennel operators. No deductions
341 may be taken pursuant to this paragraph without a kennel
342 operator's specific approval before or after the effective date
343 of this act.

344 Section 7. Subsection (2) of section 550.1625, Florida
345 Statutes, is amended to read:

346 550.1625 Dogracing; taxes.—

347 ~~(2) A permitholder that conducts a dograce meet under this~~
348 ~~chapter must pay the daily license fee, the admission tax, the~~
349 ~~breaks tax, and the tax on pari-mutuel handle as provided in s.~~
350 ~~550.0951 and is subject to all penalties and sanctions provided~~
351 ~~in s. 550.0951(6).~~

352 Section 8. Section 550.1647, Florida Statutes, is amended
353 to read:

354 ~~550.1647 Greyhound permitholders; unclaimed tickets;~~
355 ~~breaks. All money or other property represented by any~~
356 ~~unclaimed, uncashed, or abandoned pari-mutuel ticket which has~~
357 ~~remained in the custody of or under the control of any~~
358 ~~permitholder authorized to conduct greyhound racing pari-mutuel~~



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359 ~~pools in this state for a period of 1 year after the date the~~
360 ~~pari-mutuel ticket was issued, if the rightful owner or owners~~
361 ~~thereof have made no claim or demand for such money or other~~
362 ~~property within that period of time, shall, with respect to live~~
363 ~~races conducted by the permitholder, be remitted to the state~~
364 ~~pursuant to s. 550.1645; however, such permitholder shall be~~
365 ~~entitled to a credit in each state fiscal year in an amount~~
366 ~~equal to the actual amount remitted in the prior state fiscal~~
367 ~~year which may be applied against any taxes imposed pursuant to~~
368 ~~this chapter. In addition, each permitholder shall pay, from any~~
369 ~~source, including the proceeds from performances conducted~~
370 ~~pursuant to s. 550.0351, an amount not less than 10 percent of~~
371 ~~the amount of the credit provided by this section to any bona~~
372 ~~fide organization that promotes or encourages the adoption of~~
373 ~~greyhounds. As used in this chapter, the term "bona fide~~
374 ~~organization that promotes or encourages the adoption of~~
375 ~~greyhounds" means any organization that provides evidence of~~
376 ~~compliance with chapter 496 and possesses a valid exemption from~~
377 ~~federal taxation issued by the Internal Revenue Service. Such~~
378 ~~bona fide organization, as a condition of adoption, must provide~~
379 ~~sterilization of greyhounds by a licensed veterinarian before~~
380 ~~relinquishing custody of the greyhound to the adopter. The fee~~
381 ~~for sterilization may be included in the cost of adoption.~~

382 Section 9. Section 550.1648, Florida Statutes, is amended
383 to read:

384 550.1648 Greyhound adoptions.—

385 ~~(1) A~~ Each dogracing permitholder conducting live racing at
386 operating a dogracing facility in this state shall provide for a
387 greyhound adoption booth to be located at the facility. The



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388 greyhound adoption booth must be operated on weekends by
389 personnel or volunteers from a bona fide organization that
390 promotes or encourages the adoption of greyhounds ~~pursuant to s.~~
391 ~~550.1647~~. As used in this section, the term "weekend" includes
392 the hours during which live greyhound racing is conducted on
393 Friday, Saturday, or Sunday, and the phrase "bona fide
394 organization that promotes or encourages the adoption of
395 greyhounds" means any organization that provides evidence of
396 compliance with chapter 496 and possesses a valid exemption from
397 federal taxation issued by the Internal Revenue Service. Such
398 bona fide organization, as a condition of adoption, must provide
399 sterilization of greyhounds by a licensed veterinarian before
400 relinquishing custody of the greyhound to the adopter. The fee
401 for sterilization may be included in the cost of adoption.
402 Information pamphlets and application forms shall be provided to
403 the public upon request. In addition, the kennel operator or
404 owner shall notify the permitholder that a greyhound is
405 available for adoption and the permitholder shall provide
406 information concerning the adoption of a greyhound in each race
407 program and shall post adoption information at conspicuous
408 locations throughout the dogracing facility. Any greyhound that
409 is participating in a race and that will be available for future
410 adoption must be noted in the race program. The permitholder
411 shall allow greyhounds to be walked through the track facility
412 to publicize the greyhound adoption program.

413 ~~(1)(2) In addition to the charity days authorized under s.~~
414 ~~550.0351, a greyhound permitholder may fund the greyhound~~
415 ~~adoption program by holding a charity racing day designated as~~
416 ~~"Greyhound Adopt-A-Pet Day." All profits derived from the~~



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417 ~~operation of the charity day must be placed into a fund used to~~
418 ~~support activities at the racing facility which promote the~~
419 ~~adoption of greyhounds. The division may adopt rules for~~
420 ~~administering the fund. Proceeds from the charity day authorized~~
421 ~~in this subsection may not be used as a source of funds for the~~
422 ~~purposes set forth in s. 550.1647.~~

423 (2)~~(3)~~(a) Upon a violation of this section by a
424 permitholder or licensee, the division may impose a penalty as
425 provided in s. 550.0251(10) and require the permitholder to take
426 corrective action.

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

430 Section 10. Subsection (1) of section 550.26165, Florida
431 Statutes, is amended to read:

432 550.26165 Breeders' awards.—

433 (1) The purpose of this section is to encourage the
434 agricultural activity of breeding and training racehorses in
435 this state. Moneys dedicated in this chapter for use as
436 breeders' awards and stallion awards are to be used for awards
437 to breeders of registered Florida-bred horses winning horseraces
438 and for similar awards to the owners of stallions who sired
439 Florida-bred horses winning stakes races, if the stallions are
440 registered as Florida stallions standing in this state. Such
441 awards shall be given at a uniform rate to all winners of the
442 awards, shall not be greater than 20 percent of the announced
443 gross purse, and shall not be less than 15 percent of the
444 announced gross purse if funds are available. In addition, no
445 less than 17 percent nor more than 40 percent, as determined by



446 the Florida Thoroughbred Breeders' Association, of the moneys
447 dedicated in this chapter for use as breeders' awards and
448 stallion awards for thoroughbreds shall be returned pro rata to
449 the permitholders that generated the moneys for special racing
450 awards to be distributed by the permitholders to owners of
451 thoroughbred horses participating in prescribed thoroughbred
452 stakes races, nonstakes races, or both, all in accordance with a
453 written agreement establishing the rate, procedure, and
454 eligibility requirements for such awards entered into by the
455 permitholder, the Florida Thoroughbred Breeders' Association,
456 and the Florida Horsemen's Benevolent and Protective
457 Association, Inc., except that the plan for the distribution by
458 any permitholder located in the area described in s. 550.615(8)
459 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
460 Florida Thoroughbred Breeders' Association, and the association
461 representing a majority of the thoroughbred racehorse owners and
462 trainers at that location. Awards for thoroughbred races are to
463 be paid through the Florida Thoroughbred Breeders' Association,
464 and awards for standardbred races are to be paid through the
465 Florida Standardbred Breeders and Owners Association. Among
466 other sources specified in this chapter, moneys for thoroughbred
467 breeders' awards will come from the 0.955 percent of handle for
468 thoroughbred races conducted, received, broadcast, or simulcast
469 under this chapter as provided in s. 550.2625(3). The moneys for
470 quarter horse and harness breeders' awards will come from the
471 breaks and uncashed tickets on live quarter horse and harness
472 racing performances and 1 percent of handle on intertrack
473 wagering. The funds for these breeders' awards shall be paid to
474 the respective breeders' associations by the permitholders



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475 conducting the races.

476 Section 11. Paragraph (a) of subsection (6) of section
477 550.3551, Florida Statutes, is amended to read:

478 550.3551 Transmission of racing and jai alai information;
479 commingling of pari-mutuel pools.-

480 (6) (a) A greyhound permitholder that is not licensed to
481 conduct at least a full schedule of live racing in the current
482 fiscal year may accept intertrack and simulcast race wagers on
483 any class of pari-mutuel activity only on those days such
484 permitholder is accepting all wagers on all in-state greyhound
485 races made available to such permitholder. A greyhound
486 permitholder that is not licensed to conduct at least a full
487 schedule of live racing shall display and promote all in-state
488 greyhound signals it receives and wagers upon in the same manner
489 as any other race or game such permitholder receives and wagers
490 upon ~~A maximum of 20 percent of the total number of races on~~
491 ~~which wagers are accepted by a greyhound permitholder not~~
492 ~~located as specified in s. 550.615(6) may be received from~~
493 ~~locations outside this state. A horseracing or a jai alai~~
494 permitholder may not conduct fewer than eight live races or
495 games on any authorized race day except as provided in this
496 subsection. A thoroughbred permitholder may not conduct fewer
497 than eight live races on any race day without the written
498 approval of the Florida Thoroughbred Breeders' Association and
499 the Florida Horsemen's Benevolent and Protective Association,
500 Inc., unless it is determined by the department that another
501 entity represents a majority of the thoroughbred racehorse
502 owners and trainers in the state. A harness permitholder may
503 conduct fewer than eight live races on any authorized race day,



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504 except that such permitholder must conduct a full schedule of
505 live racing during its race meet consisting of at least eight
506 live races per authorized race day for at least 100 days. Any
507 harness ~~horse~~ permitholder that during the preceding racing
508 season conducted a full schedule of live racing may, at any time
509 during its current race meet, receive full-card broadcasts of
510 harness horse races conducted at harness racetracks outside this
511 state at the harness track of the permitholder and accept wagers
512 on such harness races. With specific authorization from the
513 division for special racing events, a permitholder may conduct
514 fewer than eight live races or games when the permitholder also
515 broadcasts out-of-state races or games. The division may not
516 grant more than two such exceptions a year for a permitholder in
517 any 12-month period, and those two exceptions may not be
518 consecutive.

519 Section 12. Subsections (2), (7), and (8) of section
520 550.615, Florida Statutes, are amended, and a new subsection
521 (10) is added to that section, to read:

522 550.615 Intertrack wagering.—

523 (2) Any track or fronton licensed under this chapter which
524 conducted a full schedule of live racing or games ~~which~~ in the
525 preceding year, any greyhound permitholder that has held an
526 annual license to conduct pari-mutuel wagering activities in
527 each of the preceding 10 years, or any greyhound permitholder
528 converted pursuant to 550.054(14) ~~conducted a full schedule of~~
529 ~~live racing~~ is qualified to, at any time, receive broadcasts of
530 any class of pari-mutuel race or game and accept wagers on such
531 races or games conducted by any class of permitholders licensed
532 under this chapter. A greyhound permitholder may conduct only



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533 intertrack wagering in conformance with this section and s.
534 550.3551(6).

535 ~~(7) In any county of the state where there are only two~~
536 ~~permits, one for dogracing and one for jai alai, no intertrack~~
537 ~~wager may be taken during the period of time when a permitholder~~
538 ~~is not licensed to conduct live races or games without the~~
539 ~~written consent of the other permitholder that is conducting~~
540 ~~live races or games. However, if neither permitholder is~~
541 ~~conducting live races or games, either permitholder may accept~~
542 ~~intertrack wagers on horseraces or on the same class of races or~~
543 ~~games, or on both horseraces and the same class of races or~~
544 ~~games as is authorized by its permit.~~

545 ~~(8) In any three contiguous counties of the state where~~
546 ~~there are only three permitholders, all of which are greyhound~~
547 ~~permitholders, If any greyhound permitholder leases the facility~~
548 ~~of another greyhound permitholder for the purpose of conducting~~
549 ~~all or any portion of the conduct of its live race meet pursuant~~
550 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
551 ~~its pre-lease permitted facility throughout the entire year,~~
552 ~~including while its race live meet is being conducted at the~~
553 ~~leased facility, if such permitholder has conducted a full~~
554 ~~schedule of live racing during the preceding fiscal year at its~~
555 ~~pre-lease permitted facility or at a leased facility, or~~
556 ~~combination thereof.~~

557 (10) A guest track is entitled to the payment of 16 percent
558 of such guest track's contributions to pari-mutuel pools at a
559 greyhound permitholder host track if the guest track is a
560 greyhound permitholder not licensed to conduct at least a full
561 schedule of live racing in the current state fiscal year.



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562 Section 13. Paragraph (g) of subsection (9) of section
563 550.6305, Florida Statutes, is amended to read:

564 550.6305 Intertrack wagering; guest track payments;
565 accounting rules.—

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

571 (g)1. Any thoroughbred permitholder which accepts wagers on
572 a simulcast signal must make the signal available to any
573 permitholder that is eligible to conduct intertrack wagering
574 under the provisions of ss. 550.615-550.6345.

575 2. Any thoroughbred permitholder which accepts wagers on a
576 simulcast signal received after 6 p.m. must make such signal
577 available to any permitholder that is eligible to conduct
578 intertrack wagering under the provisions of ss. 550.615-
579 550.6345, including any permitholder located as specified in s.
580 550.615(6). Such guest permitholders are authorized to accept
581 wagers on such simulcast signal, notwithstanding any other
582 provision of this chapter to the contrary.

583 3. Any thoroughbred permitholder which accepts wagers on a
584 simulcast signal received after 6 p.m. must make such signal
585 available to any permitholder that is eligible to conduct
586 intertrack wagering under the provisions of ss. 550.615-
587 550.6345, including any permitholder located as specified in s.
588 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are
589 authorized to accept wagers on such simulcast signals for a
590 number of performances not to exceed that which constitutes a



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591 full schedule of live races for a quarter horse permitholder
592 pursuant to s. 550.002(11), notwithstanding any other provision
593 of this chapter to the contrary, except that the restrictions
594 provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on
595 such simulcast signals.

596
597 No thoroughbred permitholder shall be required to continue to
598 rebroadcast a simulcast signal to any in-state permitholder if
599 the average per performance gross receipts returned to the host
600 permitholder over the preceding 30-day period were less than
601 \$100. Subject to the provisions of s. 550.615(4), as a condition
602 of receiving rebroadcasts of thoroughbred simulcast signals
603 under this paragraph, a guest permitholder must accept
604 intertrack wagers on all live races conducted by all then-
605 operating thoroughbred permitholders.

606 Section 14. Subsection (4) of section 551.102, Florida
607 Statutes, is amended to read:

608 551.102 Definitions.—As used in this chapter, the term:

609 (4) "Eligible facility" means any licensed pari-mutuel
610 facility located in Miami-Dade County or Broward County existing
611 at the time of adoption of s. 23, Art. X of the State
612 Constitution that has conducted live racing or games during
613 calendar years 2002 and 2003 and has been approved by a majority
614 of voters in a countywide referendum to have slot machines at
615 such facility in the respective county; any licensed pari-mutuel
616 facility located within a county as defined in s. 125.011,
617 provided such facility has conducted a full schedule of live
618 racing for 2 consecutive calendar years immediately preceding
619 its application for a slot machine license, pays the required



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620 license fee, and meets the other requirements of this chapter;
621 or any licensed pari-mutuel facility in any other county in
622 which a majority of voters have approved slot machines at such
623 facilities in a countywide referendum held pursuant to a
624 statutory or constitutional authorization after the effective
625 date of this section in the respective county, provided such
626 facility has conducted a full schedule of live racing for 2
627 consecutive calendar years immediately preceding its application
628 for a slot machine license, pays the required licensed fee, and
629 meets the other requirements of this chapter.

630 Section 15. Paragraph (c) of subsection (4) of section
631 551.104, Florida Statutes, is amended to read:

632 551.104 License to conduct slot machine gaming.—

633 (4) As a condition of licensure and to maintain continued
634 authority for the conduct of slot machine gaming, the slot
635 machine licensee shall:

636 (c) Conduct no fewer than a full schedule of live racing or
637 games as defined in s. 550.002(11), except for greyhound
638 permitholders, which have no live racing requirement for
639 purposes of obtaining or maintaining licensure under this
640 chapter. A permitholder's responsibility to conduct such number
641 of live races or games shall be reduced by the number of races
642 or games that could not be conducted due to the direct result of
643 fire, war, hurricane, or other disaster or event beyond the
644 control of the permitholder.

645 Section 16. Subsections (2) and (4) of section 551.114,
646 Florida Statutes, are amended to read:

647 551.114 Slot machine gaming areas.—

648 (2) The slot machine licensee shall display pari-mutuel



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649 races or games within the designated slot machine gaming areas
650 and offer patrons within the designated slot machine gaming
651 areas the ability to engage in pari-mutuel wagering on any live,
652 intertrack, and simulcast races conducted or offered to patrons
653 of the licensed facility.

654 (4) Designated slot machine gaming areas may be located
655 within the current live gaming facility or in an existing
656 building that must be contiguous and connected to the live
657 gaming facility or, for greyhound permitholders, the location
658 where live races were conducted as of the permitholder's initial
659 date of slot machine licensure. If a designated slot machine
660 gaming area is to be located in a building that is to be
661 constructed, that new building must be contiguous and connected
662 to the live gaming facility.

663 Section 17. Paragraphs (a) and (b) of subsection (5) and
664 paragraph (d) of subsection (13) of section 849.086, Florida
665 Statutes, are amended to read:

666 849.086 Cardrooms authorized.—

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

670 (a) Only those persons holding a valid cardroom license
671 issued by the division may operate a cardroom. A cardroom
672 license may only be issued to a licensed pari-mutuel
673 permitholder. ~~and~~ An authorized cardroom may only be operated at
674 the same facility at which the permitholder is authorized under
675 its valid pari-mutuel wagering permit to conduct pari-mutuel
676 wagering activities. An initial cardroom license shall be issued
677 to a pari-mutuel permitholder only after its facilities are in



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678 place and after it conducts its first day of live racing or
679 games. A greyhound permitholder that has conducted live racing
680 during each of the 10 years immediately preceding its
681 application for a cardroom license or a greyhound permitholder
682 converted pursuant to s. 550.054(14) shall be issued a cardroom
683 license, and any renewals thereto, without regard to licensure
684 for or actual conduct of live racing.

685 (b) After the initial cardroom license is granted, the
686 application for the annual license renewal shall be made in
687 conjunction with the applicant's annual application for its
688 pari-mutuel license. If a permitholder has operated a cardroom
689 during any of the 3 previous fiscal years and fails to include a
690 renewal request for the operation of the cardroom in its annual
691 application for license renewal, the permitholder may amend its
692 annual application to include operation of the cardroom. In
693 order for a cardroom license to be renewed the applicant must
694 have requested, as part of its pari-mutuel annual license
695 application, to conduct at least 90 percent of the total number
696 of live performances conducted by such permitholder during
697 either the state fiscal year in which its initial cardroom
698 license was issued or the state fiscal year immediately prior
699 thereto if the permitholder ran at least a full schedule of live
700 racing or games in the prior year. If the application is for a
701 harness permitholder cardroom, the applicant must have requested
702 authorization to conduct a minimum of 140 live performances
703 during the state fiscal year immediately prior thereto. If more
704 than one permitholder is operating at a facility, each
705 permitholder must have applied for a license to conduct a full
706 schedule of live racing. Notwithstanding any provision of law to



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707 the contrary, no minimum number of requested or conducted live
708 performances is required in order for a greyhound permitholder
709 to receive, maintain, or renew a cardroom license. However, as a
710 condition of cardroom licensure, a greyhound permitholder shall
711 conduct intertrack wagering on Florida greyhound signals, to the
712 extent available pursuant to ss. 550.3551(6) (a) and 550.615(10),
713 on each day of cardroom operation.

714 (13) TAXES AND OTHER PAYMENTS.—

715 (d)1. Any ~~Each~~ greyhound conducting live racing and each
716 jai alai permitholder that operates a cardroom facility shall
717 use at least 4 percent of such permitholder's cardroom monthly
718 gross receipts to supplement greyhound purses, if any, or jai
719 alai prize money, respectively, during the permitholder's
720 current or next ensuing pari-mutuel meet.

721 2. Each thoroughbred and harness horse racing permitholder
722 that operates a cardroom facility shall use at least 50 percent
723 of such permitholder's cardroom monthly net proceeds as follows:
724 47 percent to supplement purses and 3 percent to supplement
725 breeders' awards during the permitholder's next ensuing racing
726 meet.

727 3. No cardroom license or renewal thereof shall be issued
728 to an applicant holding a permit under chapter 550 to conduct
729 pari-mutuel wagering meets of quarter horse racing unless the
730 applicant has on file with the division a binding written
731 agreement between the applicant and the Florida Quarter Horse
732 Racing Association or the association representing a majority of
733 the horse owners and trainers at the applicant's eligible
734 facility, governing the payment of purses on live quarter horse
735 races conducted at the licensee's pari-mutuel facility. The



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736 agreement governing purses may direct the payment of such purses
737 from revenues generated by any wagering or gaming the applicant
738 is authorized to conduct under Florida law. All purses shall be
739 subject to the terms of chapter 550.

740

741 ===== T I T L E A M E N D M E N T =====

742 And the title is amended as follows:

743 Delete lines 1 - 12

744 and insert:

745 An act relating gaming; amending s. 285.710, F.S.;

746 authorizing and directing the Governor to execute a

747 specified written amendment to the Gaming Compact

748 between the Seminole Tribe of Florida and the State of

749 Florida; authorizing and directing the Governor to

750 cooperate with the Tribe in seeking approval of the

751 amendment; providing that the amendment of the compact

752 does not require legislative ratification in certain

753 circumstances; amending s. 550.01215, F.S.; requiring

754 a permitholder to file in writing with the division

755 its application for a license to conduct specified

756 activities; providing an extended period to amend a

757 license for a greyhound permitholders who applies for

758 such license during a specified year; amending s.

759 550.0351, F.S.; deleting a provision that allowed any

760 dogracing permitholder to use its facility to conduct

761 specified derbies; amending s. 550.054, F.S.; removing

762 a provision that a permitholder of a specified permit

763 must apply for and conduct a full schedule of live

764 racing to be eligible for a specified tax credit;



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765 amending s. 550.0951, F.S.; removing a specified tax
766 credit for a greyhound permitholder; requiring a
767 nongreyhound permitholder to pay specified daily
768 license fees; removing the authority of a permitholder
769 that cannot utilize a specified exemption to elect to
770 transfer such exemption; revising the admission tax
771 imposed upon a person attending a horserace, dograce,
772 or jai alai game; revising the tax on handle for
773 dogracing; deleting a tax on handle for intertrack
774 wagering on charity performances at a guest greyhound
775 track; revising the tax on handle for intertrack
776 wagers; amending s. 550.09514, F.S.; deleting a
777 provision that wagering on greyhound racing is subject
778 to a tax handle for specified live greyhound racing;
779 requiring any greyhound permitholder conducting live
780 racing during a fiscal year to pay specified purses;
781 conforming provisions to changes made by the act;
782 amending s. 550.1625, F.S.; removing a provision that
783 a permitholder that conducts a specified dograce meet
784 pay specified fees and taxes and is subject to
785 specified penalties and sanctions; amending s.
786 550.1647, F.S.; removing a provision relating to the
787 remittance of specified money or property of
788 permitholders; amending s. 550.1648, F.S.; defining a
789 phrase; requiring a bona fide organization, as a
790 condition of adoption, to provide sterilization of
791 greyhounds by a licensed veterinarian before
792 relinquishing custody of the greyhound to the adopter;
793 removing the authority of a greyhound permitholder to



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794 hold a designated "Greyhound Adopt-A-Pet-Day";
795 conforming provisions to changes made by the act;
796 amending s. 550.26165, F.S.; conforming a cross-
797 reference; amending s. 550.3551, F.S.; providing that
798 a non-licensed greyhound permitholder may only accept
799 specified wagers; requiring a non-licensed greyhound
800 permitholder to display and promote all in-state
801 greyhound signals it receives; prohibiting a
802 horseracing or a jai alai permitholder from conducting
803 fewer than eight live races or games on any authorized
804 race day; amending s. 550.615, F.S.; providing that
805 specified tracks, frontons, and greyhound
806 permitholders are qualified to receive broadcasts of
807 any class of pari-mutuel race or game and accept
808 wagers on such races or games; removing a provision
809 that an intertrack wager may not be taken during a
810 specified period of time; authorizing specified
811 greyhound permitholder lessees to conduct intertrack
812 wagering at its pre-lease permitted facility;
813 providing that a guest track is entitled to the
814 payment of a specified percentage of such guest
815 track's contributions to pari-mutuel pools at a
816 greyhound permitholder host track in certain
817 circumstances; amending s. 550.6305, F.S.; conforming
818 a cross-reference; amending s. 551.102, F.S.; revising
819 the term "eligible facility"; amending s. 551.104,
820 F.S.; providing a specified exception for specified
821 greyhound permitholders from the requirements of a
822 slot machine licensee; amending s. 551.114, F.S.;



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823 authorizing a designated slot machine gaming area to
824 be located at the location where live races were
825 conducted for greyhound permitholders; amending s.
826 849.086, F.S.; requiring a specified greyhound
827 permitholder to be issued a cardroom license in
828 certain circumstances; providing that no minimum
829 number of requested or conducted live performances is
830 required in order for a greyhound permitholder to
831 receive, maintain, or renew a cardroom license;
832 conforming provisions to changes made by the act;
833 providing an