

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 issuance of new

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

53 | revocation of certain thoroughbred racing permits;
54 | specifying that a revoked permit may not be reissued;
55 | amending s. 550.1625, F.S.; removing the requirement
56 | that a greyhound racing permitholder pay the breaks
57 | tax; repealing s. 550.1647, F.S., relating to
58 | unclaimed tickets and breaks held by greyhound racing
59 | permitholders; amending s. 550.1648, F.S.; revising
60 | requirements for a greyhound racing permitholder to
61 | provide a greyhound adoption booth at its facility;
62 | defining the term "bona fide organization that
63 | promotes or encourages the adoption of greyhounds";
64 | requiring sterilization of greyhounds before adoption;
65 | creating s. 550.2416, F.S.; requiring injuries to
66 | racing greyhounds to be reported on a form adopted by
67 | the division within a certain timeframe; specifying
68 | information that must be included in the form;
69 | requiring the division to maintain the forms as public
70 | records for a specified time; specifying disciplinary
71 | action that may be taken against a licensee of the
72 | Department of Business and Professional Regulation who
73 | fails to report an injury or who makes false
74 | statements on an injury form; exempting injuries to
75 | certain animals from reporting requirements; requiring
76 | the division to adopt rules; amending s. 550.26165,
77 | F.S.; conforming provisions to changes made by the
78 | act; creating s. 550.3341, F.S.; permitting certain

79 quarter horse racing permitholders to substitute
80 certain live nonwagering equine competitions in order
81 to meet the requirements to run a full schedule of
82 live racing; providing requirements for the payment of
83 purses for nonwagering equine competitions; limiting
84 the number of partnerships between quarter horse
85 racing permitholders and nowagering permitholders;
86 providing rulemaking authority; amending s. 550.3345,
87 F.S.; revising provisions for a permit previously
88 converted from a quarter horse racing permit to a
89 thoroughbred racing permit; amending s. 550.3551,
90 F.S.; removing a provision that limits the number of
91 out-of-state races on which wagers are accepted by a
92 greyhound racing permitholder; removing greyhound
93 racing permitholders from a live racing requirement;
94 amending s. 550.615, F.S.; revising provisions
95 relating to intertrack wagering; amending s. 550.6305,
96 F.S.; revising provisions requiring certain simulcast
97 signals be made available to certain permitholders;
98 providing for certain permitholders of a converted
99 permit to accept wagers on certain rebroadcasts;
100 amending s. 550.6308, F.S.; revising the number of
101 days of thoroughbred horse sales required to obtain a
102 limited intertrack wagering license; revising
103 provisions for such wagering; amending s. 551.101,
104 F.S.; revising provisions that authorize slot machine

105 gaming at certain facilities; amending s. 551.102,
106 F.S.; revising the definition of the terms "eligible
107 facility" and "slot machine licensee" for purposes of
108 provisions relating to slot machines; amending s.
109 551.104, F.S.; revising provisions for approval of a
110 license to conduct slot machine gaming; specifying
111 that a greyhound racing permitholder is not required
112 to conduct a full schedule of live racing to receive
113 and maintain a license to conduct slot machine gaming;
114 amending s. 551.114, F.S.; requiring certain greyhound
115 racing permitholders to locate their slot machine
116 gaming area in certain locations; amending s. 551.116,
117 F.S.; revising the times that a slot machine gaming
118 area may be open; amending s. 849.086, F.S.; revising
119 times that a cardroom may operate; exempting a
120 greyhound racing permitholder from a requirement to
121 conduct a minimum number of live racing in order to
122 receive, maintain, or renew a cardroom license under
123 certain conditions; requiring a greyhound racing
124 permitholder to conduct intertrack wagering on
125 greyhound signals to operate a cardroom; creating s.
126 849.095, F.S., relating to destination resort
127 referendums; authorizing the board of county
128 commissioners of certain counties to vote whether to
129 authorize destination resorts within the county or to
130 conduct a countywide referendum during a specified

131 general election to authorize such resorts; specifying
 132 that the referendum is not binding on state agencies;
 133 providing a ballot statement; requiring that the
 134 results be reported to the Governor and the
 135 Legislature; directing the division to revoke certain
 136 pari-mutuel permits; specifying that the revoked
 137 permits may not be reissued; providing severability;
 138 providing an effective date.

139

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

141

142 Section 1. Subsection (11) of section 550.002, Florida
 143 Statutes, is amended to read:

144 550.002 Definitions.—As used in this chapter, the term:

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

146 1. For a greyhound racing permitholder or jai alai
 147 permitholder, the conduct of a combination of at least 100 live
 148 evening or matinee performances during the preceding year. ~~for~~
 149 ~~a permitholder who has a converted permit or filed an~~
 150 ~~application on or before June 1, 1990, for a converted permit,~~
 151 ~~the conduct of a combination of at least 100 live evening and~~
 152 ~~matinee wagering performances during either of the 2 preceding~~
 153 ~~years;~~

154 2. For a jai alai permitholder that ~~who~~ does not operate
 155 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
 156 least 100 live performances per year for at least 10 years after

157 December 31, 1992, and has had ~~whose~~ handle on live jai alai
 158 games conducted at its pari-mutuel facility which was ~~has been~~
 159 less than \$4 million per state fiscal year for at least 2
 160 consecutive years after June 30, 1992, the conduct of a
 161 ~~combination of~~ at least 40 live ~~evening or matinee~~ performances
 162 during the preceding year.†

163 3. For a jai alai permitholder that ~~who~~ operates slot
 164 machines in its pari-mutuel facility, the conduct of a
 165 ~~combination of~~ at least 150 performances during the preceding
 166 year.†

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

170 5. For a harness horse racing permitholder, the conduct of
 171 at least 100 live regular wagering performances during the
 172 preceding year.†

173 6. For a quarter horse racing permitholder at its
 174 facility, unless an alternative schedule of at least 20 live
 175 regular wagering performances each year is agreed upon by the
 176 permitholder and either the Florida Quarter Horse Racing
 177 Association or the horsemen ~~horsemen's~~ association representing
 178 the majority of the quarter horse owners and trainers at the
 179 facility and filed ~~with the division along~~ with its annual
 180 operating license ~~date~~ application.†

181 a. In the 2010-2011 fiscal year, the conduct of at least
 182 20 regular wagering performances.†

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

185 c. For every fiscal year after the 2012-2013 fiscal year,
 186 the conduct of at least 40 live regular wagering performances ~~;~~ and

187 7. For a quarter horse racing permitholder leasing another
 188 licensed racetrack, the conduct of 160 events at the leased
 189 facility during the preceding year. ~~;~~ and

190 8. For a thoroughbred racing permitholder, the conduct of
 191 at least 40 live regular wagering performances during the
 192 preceding year.

193 (b) ~~For a permitholder which is restricted by statute to~~
 194 ~~certain operating periods within the year when other members of~~
 195 ~~its same class of permit are authorized to operate throughout~~
 196 ~~the year, the specified number of live performances which~~
 197 ~~constitute a full schedule of live racing or games shall be~~
 198 ~~adjusted pro rata in accordance with the relationship between~~
 199 ~~its authorized operating period and the full calendar year and~~
 200 ~~the resulting specified number of live performances shall~~
 201 ~~constitute the full schedule of live games for such permitholder~~
 202 ~~and all other permitholders of the same class within 100 air~~
 203 ~~miles of such permitholder. A live performance must consist of~~
 204 no fewer than eight races or games conducted live for each of a
 205 minimum of three performances each week at the permitholder's
 206 licensed facility under a single admission charge.

207 Section 2. Subsections (1), (3), and (6) of section
 208 550.01215, Florida Statutes, are amended, subsections (3)

209 through (6) are renumbered as subsections (4) through (7),
 210 respectively, and a new subsection (3) is added to that section,
 211 to read:

212 550.01215 License application; periods of operation; bond,
 213 conversion of permit.—

214 (1) Each permitholder shall annually, during the period
 215 between December 15 and January 4, file in writing with the
 216 division its application for an operating a license ~~to conduct~~
 217 ~~performances~~ during the next state fiscal year. Each application
 218 for live performances shall specify the number, dates, and
 219 starting times of all live performances that ~~which~~ the
 220 permitholder intends to conduct. It shall also specify which
 221 performances will be conducted as charity or scholarship
 222 performances.

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

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

227 2. For each permitholder that elects to operate a
 228 cardroom, the dates and periods of operation the permitholder
 229 intends to operate the cardroom. ~~or~~

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

234 (b) A greyhound racing permitholder that conducted a full

235 schedule of live racing for a period of at least 10 consecutive
236 state fiscal years after the 1996-1997 state fiscal year or that
237 converted its permit to a permit to conduct greyhound racing
238 after that fiscal year may specify in its application for an
239 operating license that it intends to conduct no live racing or
240 less than a full schedule of live racing in the next state
241 fiscal year. A greyhound racing permitholder may receive an
242 operating license to conduct pari-mutuel wagering activities at
243 another permitholder's greyhound racing facility pursuant to s.
244 550.475.

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

247 (3) Notwithstanding any other provision of law, no more
248 than 40 pari-mutuel wagering operating licenses may be issued
249 each year. If more than 40 permitholders are eligible for
250 licensure, the division shall issue operating licenses first to
251 those permitholders who conducted pari-mutuel wagering under an
252 operating license in the previous year.

253 (4)~~(3)~~ The division shall issue each license no later than
254 March 15. Each permitholder shall operate all performances at
255 the date and time specified on its license. The division shall
256 have the authority to approve minor changes in racing dates
257 after a license has been issued. The division may approve
258 changes in racing dates after a license has been issued when
259 there is no objection from any operating permitholder located
260 within 50 miles of the permitholder requesting the changes in

261 operating dates. In the event of an objection, the division
262 shall approve or disapprove the change in operating dates based
263 upon the impact on operating permitholders located within 50
264 miles of the permitholder requesting the change in operating
265 dates. In making the determination to change racing dates, the
266 division shall take into consideration the impact of such
267 changes on state revenues. Notwithstanding any other provision
268 of law, and for the 2015-2016 fiscal year only, the division may
269 approve any changes in racing dates for greyhound permitholders
270 if the request for such changes is received before August 31,
271 2015.

272 (7)-(6) A summer jai alai permitholder may apply for an
273 operating license to operate a jai alai fronton only during the
274 summer season beginning May 1 and ending November 30 of each
275 year on such dates as may be selected by the permitholder. Such
276 permitholder is subject to the same taxes and rules and
277 provisions of this chapter which apply to the operation of
278 winter jai alai frontons. A summer jai alai permitholder is not
279 eligible for licensure to conduct a cardroom or a slot machine
280 facility. A summer jai alai permitholder and a winter jai alai
281 permitholder may not operate on the same days or in competition
282 with each other. This subsection does not prevent a summer jai
283 alai licensee from leasing the facilities of a winter jai alai
284 licensee for the operation of a summer meet. Any permit which
285 was converted from a jai alai permit to a greyhound permit may
286 be converted to a jai alai permit at any time if the

287 ~~permitholder never conducted greyhound racing or if the~~
 288 ~~permitholder has not conducted greyhound racing for a period of~~
 289 ~~12 consecutive months.~~

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

292 550.0251 The powers and duties of the Division of Pari-
 293 mutuel Wagering of the Department of Business and Professional
 294 Regulation.—The division shall administer this chapter and
 295 regulate the pari-mutuel industry under this chapter and the
 296 rules adopted pursuant thereto, and:

297 (1) The division shall make an annual report to the
 298 Governor, the President of the Senate, and the Speaker of the
 299 House of Representatives. The report shall include, at a
 300 minimum:

301 (a) Recent events in the gaming industry, including
 302 pending litigation, pending facility license applications, and
 303 new and pending rules.

304 (b) Actions of the department relative to the
 305 implementation and administration of this chapter.

306 (c) The state revenues and expenses associated with each
 307 form of authorized gaming. Revenues and expenses associated with
 308 pari-mutuel wagering shall be further delineated by the class of
 309 license.

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

312 (e) A summary of disciplinary actions taken by the

313 department.

314 (f) Any suggestions to more effectively achieve ~~showing~~
 315 ~~its own actions, receipts derived under the provisions of this~~
 316 ~~chapter, the practical effects of the application of this~~
 317 ~~chapter, and any suggestions it may approve for the more~~
 318 ~~effectual accomplishments of the purposes of this chapter.~~

319 Section 4. Paragraph (b) of subsection (9), paragraph (a)
 320 of subsection (11), and subsections (13) and (14) of section
 321 550.054, Florida Statutes, are amended, and paragraphs (c)
 322 through (g) are added to subsection (9) of that section, to
 323 read:

324 550.054 Application for permit to conduct pari-mutuel
 325 wagering.—

326 (9)

327 (b) The division may revoke or suspend any permit or
 328 license issued under this chapter upon the willful violation by
 329 the permitholder or licensee of any provision of this chapter or
 330 of any rule adopted under this chapter. In lieu of suspending or
 331 revoking a permit or license, the division may impose a civil
 332 penalty against the permitholder or licensee for a violation of
 333 this chapter or any rule adopted by the division, except as
 334 provided for in subparagraphs (c)-(h). The penalty so imposed
 335 may not exceed \$1,000 for each count or separate offense. All
 336 penalties imposed and collected must be deposited with the Chief
 337 Financial Officer to the credit of the General Revenue Fund.

338 (c) The division shall revoke the permit of any

339 permitholder that has not obtained an operating license in
340 accordance with s. 550.01215 for a period of more than 24
341 consecutive months after June 30, 2012. The division shall
342 revoke the permit upon adequate notice to the permitholder
343 unless such failure was the direct result of fire, strike, war,
344 or other disaster or event beyond the permitholder's control.
345 Financial hardship to the permitholder does not, in and of
346 itself, constitute just cause for failure to operate.

347 (d) The division shall revoke the permit of any
348 permitholder that fails to make payments pursuant to s.
349 550.0951(5) for more than 24 consecutive months unless such
350 failure to pay tax on handle was the direct result of fire,
351 strike, war, or other disaster or event beyond the
352 permitholder's control. Financial hardship to the permitholder
353 does not, in and of itself, constitute just cause for failure to
354 pay tax on handle.

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

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

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

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

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

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

379 ~~thoroughbred horse racetrack except upon proof in such form as~~
380 ~~the division may prescribe that a referendum election has been~~
381 ~~held:~~

382 1. ~~If the proposed new location is within the same county~~
383 ~~as the already licensed location, in the county where the~~
384 ~~licensee desires to conduct the race meeting and that a majority~~
385 ~~of the electors voting on that question in such election voted~~
386 ~~in favor of the transfer of such license.~~

387 2. ~~If the proposed new location is not within the same~~
388 ~~county as the already licensed location, in the county where the~~
389 ~~licensee desires to conduct the race meeting and in the county~~
390 ~~where the licensee is already licensed to conduct the race~~

391 ~~meeting and that a majority of the electors voting on that~~
392 ~~question in each such election voted in favor of the transfer of~~
393 ~~such license.~~

394 ~~(b) Each referendum held under the provisions of this~~
395 ~~subsection shall be held in accordance with the electoral~~
396 ~~procedures for ratification of permits, as provided in s.~~
397 ~~550.0651. The expense of each such referendum shall be borne by~~
398 ~~the licensee requesting the transfer.~~

399 (14) (a) Notwithstanding any other provision of law, no
400 pari-mutuel facility, cardroom, or slot machine facility may be
401 relocated, except as provided in paragraph (b), and no pari-
402 mutuel permit may be converted to another class of permit.

403 (b) The division, upon application from the holder of a
404 permit to conduct greyhound racing which was converted from a
405 permit to conduct jai alai pursuant to s. 550.054(14), Florida
406 Statutes 2014, as created by s. 6 of chapter 2009-170, Laws of
407 Florida, may approve the relocation of such permit to another
408 location within a 30-mile radius of the location fixed in the
409 permit, if the application is received by July 31, 2018, the
410 move does not cross the county boundary, and the new location is
411 approved under the zoning regulations of the county or
412 municipality in which the permit is located.

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

416 ~~1. Such permit is located in a county in which the~~

417 ~~division has issued only two pari-mutuel permits pursuant to~~
418 ~~this section;~~

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

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

424 ~~(b) The division, upon application from the holder of a~~
425 ~~jai alai permit meeting all conditions of this section, shall~~
426 ~~convert the permit and shall issue to the permit holder a permit~~
427 ~~to conduct greyhound racing. A permit holder of a permit~~
428 ~~converted under this section shall be required to apply for and~~
429 ~~conduct a full schedule of live racing each fiscal year to be~~
430 ~~eligible for any tax credit provided by this chapter. The holder~~
431 ~~of a permit converted pursuant to this subsection or any holder~~
432 ~~of a permit to conduct greyhound racing located in a county in~~
433 ~~which it is the only permit issued pursuant to this section who~~
434 ~~operates at a leased facility pursuant to s. 550.475 may move~~
435 ~~the location for which the permit has been issued to another~~
436 ~~location within a 30-mile radius of the location fixed in the~~
437 ~~permit issued in that county, provided the move does not cross~~
438 ~~the county boundary and such location is approved under the~~
439 ~~zoning regulations of the county or municipality in which the~~
440 ~~permit is located, and upon such relocation may use the permit~~
441 ~~for the conduct of pari-mutuel wagering and the operation of a~~
442 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~

443 ~~apply to any permit converted under this subsection and shall~~
444 ~~continue to apply to any permit which was previously included~~
445 ~~under and subject to such provisions before a conversion~~
446 ~~pursuant to this section occurred.~~

447 Section 5. Section 550.0555, Florida Statutes, is
448 repealed.

449 Section 6. Section 550.0745, Florida Statutes, is
450 repealed.

451 Section 7. Section 550.0951, Florida Statutes, is amended
452 to read:

453 550.0951 Payment of daily license fee and taxes;
454 penalties.—

455 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
456 business of conducting race meetings or jai alai games under
457 this chapter, hereinafter referred to as the "permitholder,"
458 "licensee," or "permittee," shall pay to the division, for the
459 use of the division, a daily license fee on each live or
460 simulcast pari-mutuel event of \$100 for each horserace and \$80
461 for each greyhound race ~~dograce~~ and \$40 for each jai alai game
462 conducted at a racetrack or fronton licensed under this chapter.
463 A ~~In addition to the tax exemption specified in s. 550.09514(1)~~
464 ~~of \$360,000 or \$500,000 per greyhound permitholder per state~~
465 ~~fiscal year, each greyhound permitholder shall receive in the~~
466 ~~current state fiscal year a tax credit equal to the number of~~
467 ~~live greyhound races conducted in the previous state fiscal year~~
468 ~~times the daily license fee specified for each dograce in this~~

469 ~~subsection applicable for the previous state fiscal year. This~~
470 ~~tax credit and the exemption in s. 550.09514(1) shall be~~
471 ~~applicable to any tax imposed by this chapter or the daily~~
472 ~~license fees imposed by this chapter except during any charity~~
473 ~~or scholarship performances conducted pursuant to s. 550.0351.~~
474 ~~Each~~ permitholder may not be required to ~~shall~~ pay daily license
475 fees in excess of ~~not to exceed~~ \$500 per day on any simulcast
476 races or games on which such permitholder accepts wagers
477 regardless of the number of out-of-state events taken or the
478 number of out-of-state locations from which such events are
479 taken. This license fee shall be deposited with the Chief
480 Financial Officer to the credit of the Pari-mutuel Wagering
481 Trust Fund.

482 ~~(b) Each permitholder that cannot utilize the full amount~~
483 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
484 ~~550.09514(1) or the daily license fee credit provided in this~~
485 ~~section may, after notifying the division in writing, elect once~~
486 ~~per state fiscal year on a form provided by the division to~~
487 ~~transfer such exemption or credit or any portion thereof to any~~
488 ~~greyhound permitholder which acts as a host track to such~~
489 ~~permitholder for the purpose of intertrack wagering. Once an~~
490 ~~election to transfer such exemption or credit is filed with the~~
491 ~~division, it shall not be rescinded. The division shall~~
492 ~~disapprove the transfer when the amount of the exemption or~~
493 ~~credit or portion thereof is unavailable to the transferring~~
494 ~~permitholder or when the permitholder who is entitled to~~

495 ~~transfer the exemption or credit or who is entitled to receive~~
 496 ~~the exemption or credit owes taxes to the state pursuant to a~~
 497 ~~deficiency letter or administrative complaint issued by the~~
 498 ~~division. Upon approval of the transfer by the division, the~~
 499 ~~transferred tax exemption or credit shall be effective for the~~
 500 ~~first performance of the next payment period as specified in~~
 501 ~~subsection (5). The exemption or credit transferred to such host~~
 502 ~~track may be applied by such host track against any taxes~~
 503 ~~imposed by this chapter or daily license fees imposed by this~~
 504 ~~chapter. The greyhound permitholder host track to which such~~
 505 ~~exemption or credit is transferred shall reimburse such~~
 506 ~~permitholder the exact monetary value of such transferred~~
 507 ~~exemption or credit as actually applied against the taxes and~~
 508 ~~daily license fees of the host track. The division shall ensure~~
 509 ~~that all transfers of exemption or credit are made in accordance~~
 510 ~~with this subsection and shall have the authority to adopt rules~~
 511 ~~to ensure the implementation of this section.~~

512 (2) ADMISSION TAX.—

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

519 (b) No admission tax under this chapter or chapter 212
 520 shall be imposed on any free passes or complimentary cards

521 issued to persons for which there is no cost to the person for
 522 admission to pari-mutuel events.

523 (c) A permitholder may issue tax-free passes to its
 524 officers, officials, and employees or other persons actually
 525 engaged in working at the racetrack, including accredited press
 526 representatives such as reporters and editors, and may also
 527 issue tax-free passes to other permitholders for the use of
 528 their officers and officials. The permitholder shall file with
 529 the division a list of all persons to whom tax-free passes are
 530 issued under this paragraph.

531 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 532 contributions to pari-mutuel pools, the aggregate of which is
 533 hereinafter referred to as "handle," on races or games conducted
 534 by the permitholder. The tax is imposed daily and is based on
 535 the total contributions to all pari-mutuel pools conducted
 536 during the daily performance. If a permitholder conducts more
 537 than one performance daily, the tax is imposed on each
 538 performance separately.

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

541 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
 542 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
 543 ~~performances held pursuant to s. 550.0351, and for intertrack~~
 544 ~~wagering on such charity performances at a guest greyhound track~~
 545 ~~within the market area of the host, the tax is 7.6 percent of~~
 546 ~~the handle.~~

547 2. The tax on handle for jai alai is 7.1 percent of the
548 handle.

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

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

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

554 (III) If the host track is a dog track ~~harness track,~~ 1.28
555 5.5 percent of the handle to be remitted by the guest track. ~~if~~
556 ~~the host track is a dog track, and~~

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

559 b. The tax on handle for intertrack wagering is 0.5
560 percent if the host track and the guest track are thoroughbred
561 racing permitholders or if the guest track is located outside
562 the market area of a nongreyhound ~~the~~ host track and within the
563 market area of a thoroughbred racing permitholder currently
564 conducting a live race meet.

565 c. The tax on handle for intertrack wagering on
566 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent
567 of the handle and 1.5 percent of the handle for intertrack
568 wagering on rebroadcasts of simulcast harness horseraces.

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

571 3.2. The tax on handle for intertrack wagers accepted by
572 any ~~dog track located in an area of the state in which there are~~

573 ~~only three permitholders, all of which are greyhound~~
574 ~~permitholders, located in three contiguous counties, from any~~
575 ~~greyhound permitholder also located within such area or any dog~~
576 ~~track or jai alai fronton located as specified in s. 550.615(7)~~
577 ~~550.615(6) or (9), on races or games received from any jai alai~~
578 ~~the same class of permitholder located within the same market~~
579 ~~area is 3.9 percent if the host facility is a greyhound~~
580 ~~permitholder and, if the host facility is a jai alai~~
581 ~~permitholder, the rate shall be 6.1 percent except that it shall~~
582 ~~be 2.3 percent on handle at such time as the total tax on~~
583 ~~intertrack handle paid to the division by the permitholder~~
584 ~~during the current state fiscal year exceeds the total tax on~~
585 ~~intertrack handle paid to the division by the permitholder~~
586 ~~during the 1992-1993 state fiscal year.~~

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

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

596 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
597 imposed by this section shall be paid to the division. The
598 division shall deposit these sums with the Chief Financial

599 Officer, to the credit of the Pari-mutuel Wagering Trust Fund,
600 hereby established. The permitholder shall remit to the division
601 payment for the daily license fee, the admission tax, the tax on
602 handle, and the breaks tax. Such payments shall be remitted by 3
603 p.m. Wednesday of each week for taxes imposed and collected for
604 the preceding week ending on Sunday. Beginning on July 1, 2012,
605 such payments shall be remitted by 3 p.m. on the 5th day of each
606 calendar month for taxes imposed and collected for the preceding
607 calendar month. If the 5th day of the calendar month falls on a
608 weekend, payments shall be remitted by 3 p.m. the first Monday
609 following the weekend. Permitholders shall file a report under
610 oath by the 5th day of each calendar month for all taxes
611 remitted during the preceding calendar month. Such payments
612 shall be accompanied by a report under oath showing the total of
613 all admissions, the pari-mutuel wagering activities for the
614 preceding calendar month, and such other information as may be
615 prescribed by the division.

616 (6) PENALTIES.—

617 (a) The failure of any permitholder to make payments as
618 prescribed in subsection (5) is a violation of this section, and
619 the permitholder may be subjected by the division to a civil
620 penalty of up to \$1,000 for each day the tax payment is not
621 remitted. All penalties imposed and collected shall be deposited
622 in the General Revenue Fund. If a permitholder fails to pay
623 penalties imposed by order of the division under this
624 subsection, the division may suspend or revoke the license of

625 the permitholder, cancel the permit of the permitholder, or deny
 626 issuance of any further license or permit to the permitholder.

627 (b) In addition to the civil penalty prescribed in
 628 paragraph (a), any willful or wanton failure by any permitholder
 629 to make payments of the daily license fee, admission tax, tax on
 630 handle, or breaks tax constitutes sufficient grounds for the
 631 division to suspend or revoke the license of the permitholder,
 632 to cancel the permit of the permitholder, or to deny issuance of
 633 any further license or permit to the permitholder.

634 Section 8. Subsection (3) of section 550.09512, Florida
 635 Statutes, is amended to read:

636 550.09512 Harness racing ~~horse~~ taxes; abandoned interest
 637 in a permit for nonpayment of taxes.—

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

650 ~~(b) In order to maximize the tax revenues to the state,~~

651 ~~the division shall reissue an escheated harness horse permit to~~
652 ~~a qualified applicant pursuant to the provisions of this chapter~~
653 ~~as for the issuance of an initial permit. However, the~~
654 ~~provisions of this chapter relating to referendum requirements~~
655 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
656 ~~escheated harness horse permit. As specified in the application~~
657 ~~and upon approval by the division of an application for the~~
658 ~~permit, the new permit holder shall be authorized to operate a~~
659 ~~harness horse facility anywhere in the same county in which the~~
660 ~~escheated permit was authorized to be operated, notwithstanding~~
661 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

662 Section 9. Section 550.09514, Florida Statutes, is amended
663 to read:

664 550.09514 Greyhound racing ~~degrading~~ taxes; purse
665 requirements.—

666 ~~(1) Wagering on greyhound racing is subject to a tax on~~
667 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
668 ~~However, each permit holder shall pay no tax on handle until such~~
669 ~~time as this subsection has resulted in a tax savings per state~~
670 ~~fiscal year of \$360,000. Thereafter, each permit holder shall pay~~
671 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
672 ~~remainder of the permit holder's current race meet. For the three~~
673 ~~permit holders that conducted a full schedule of live racing in~~
674 ~~1995, and are closest to another state that authorizes greyhound~~
675 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
676 ~~year shall be \$500,000. The provisions of this subsection~~

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

679 (1)~~(2)~~(a) The division shall determine for each greyhound
680 racing permitholder the annual purse percentage rate of live
681 handle for the state fiscal year 1993-1994 by dividing total
682 purses paid on live handle by the permitholder, exclusive of
683 payments made from outside sources, during the 1993-1994 state
684 fiscal year by the permitholder's live handle for the 1993-1994
685 state fiscal year. A greyhound ~~Each~~ permitholder conducting live
686 racing during a fiscal year shall pay as purses for such live
687 races conducted during its current race meet a percentage of its
688 live handle not less than the percentage determined under this
689 paragraph, exclusive of payments made by outside sources, for
690 its 1993-1994 state fiscal year.

691 (b) Except as otherwise set forth herein, in addition to
692 the minimum purse percentage required by paragraph (a), each
693 greyhound racing permitholder conducting live racing during a
694 fiscal year shall pay as purses an annual amount of \$60 for each
695 live race conducted ~~equal to 75 percent of the daily license~~
696 ~~fees paid by the greyhound~~ ~~each~~ permitholder ~~in for~~ the
697 preceding ~~1994-1995~~ fiscal year. ~~This purse supplement shall be~~
698 ~~disbursed weekly during the permitholder's race meet in an~~
699 ~~amount determined by dividing the annual purse supplement by the~~
700 ~~number of performances approved for the permitholder pursuant to~~
701 ~~its annual license and multiplying that amount by the number of~~
702 ~~performances conducted each week. For the greyhound~~

703 ~~permitholders in the county where there are two greyhound~~
704 ~~permitholders located as specified in s. 550.615(6), such~~
705 ~~permitholders shall pay in the aggregate an amount equal to 75~~
706 ~~percent of the daily license fees paid by such permitholders for~~
707 ~~the 1994-1995 fiscal year. These permitholders shall be jointly~~
708 ~~and severally liable for such purse payments. The additional~~
709 ~~purse provided by this paragraph must be used exclusively for~~
710 ~~purse other than stakes and shall be disbursed weekly during~~
711 ~~the permitholder's race meet. The division shall conduct audits~~
712 ~~necessary to ensure compliance with this section.~~

713 (c)1. Each greyhound racing permitholder, when conducting
714 at least three live performances during any week, shall pay
715 purses in that week on wagers it accepts as a guest track on
716 intertrack and simulcast greyhound races at the same rate as it
717 pays on live races. Each greyhound racing permitholder, when
718 conducting at least three live performances during any week,
719 shall pay purses in that week, at the same rate as it pays on
720 live races, on wagers accepted on greyhound races at a guest
721 track which is not conducting live racing and is located within
722 the same market area as the greyhound racing permitholder
723 conducting at least three live performances during any week.

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

729 or intertrack broadcasts from an amount determined by adding the
730 fees received for greyhound simulcast races plus 3 percent of
731 the greyhound intertrack handle at guest facilities that are
732 located outside the market area of the host and that paid
733 contractual fees to the host for such broadcasts of greyhound
734 races.

735 (d) The division shall require sufficient documentation
736 from each greyhound racing permitholder regarding purses paid on
737 live racing to assure that the annual purse percentage rates
738 paid by each greyhound racing permitholder conducting ~~on the~~
739 live races are not reduced below those paid during the 1993-1994
740 state fiscal year. The division shall require sufficient
741 documentation from each greyhound racing permitholder to assure
742 that the purses paid by each permitholder on the greyhound
743 intertrack and simulcast broadcasts are in compliance with the
744 requirements of paragraph (c).

745 (e) In addition to the purse requirements of paragraphs
746 (a)-(c), each greyhound racing permitholder conducting live
747 races shall pay as purses an amount equal to one-third of the
748 amount of the tax reduction on live and simulcast handle
749 applicable to such permitholder as a result of the reductions in
750 tax rates provided by s. 6 of chapter 2000-354, Laws of Florida
751 ~~this act through the amendments to s. 550.0951(3)~~. With respect
752 to intertrack wagering when the host and guest tracks are
753 greyhound racing permitholders not within the same market area,
754 an amount equal to the tax reduction applicable to the guest

755 track handle as a result of the reduction in tax rate provided
756 by s. 6 of chapter 2000-354, Laws of Florida, ~~this act through~~
757 ~~the amendment to s. 550.0951(3)~~ shall be distributed to the
758 guest track, one-third of which amount shall be paid as purses
759 at the guest track. However, if the guest track is a greyhound
760 racing permitholder within the market area of the host or if the
761 guest track is not a greyhound racing permitholder, an amount
762 equal to such tax reduction applicable to the guest track handle
763 shall be retained by the host track, one-third of which amount
764 shall be paid as purses at the host track. These purse funds
765 shall be disbursed in the week received if the permitholder
766 conducts at least one live performance during that week. If the
767 permitholder does not conduct at least one live performance
768 during the week in which the purse funds are received, the purse
769 funds shall be disbursed weekly during the permitholder's next
770 race meet in an amount determined by dividing the purse amount
771 by the number of performances approved for the permitholder
772 pursuant to its annual license, and multiplying that amount by
773 the number of performances conducted each week. The division
774 shall conduct audits necessary to ensure compliance with this
775 paragraph.

776 (f) Each greyhound racing permitholder conducting live
777 racing shall, during the permitholder's race meet, supply kennel
778 operators and the Division of Pari-Mutuel Wagering with a weekly
779 report showing purses paid on live greyhound races and all
780 greyhound intertrack and simulcast broadcasts, including both as

781 a guest and a host together with the handle or commission
782 calculations on which such purses were paid and the transmission
783 costs of sending the simulcast or intertrack broadcasts, so that
784 the kennel operators may determine statutory and contractual
785 compliance.

786 (g) Each greyhound racing permitholder conducting live
787 racing shall make direct payment of purses to the greyhound
788 owners who have filed with such permitholder appropriate federal
789 taxpayer identification information based on the percentage
790 amount agreed upon between the kennel operator and the greyhound
791 owner.

792 (h) At the request of a majority of kennel operators under
793 contract with a greyhound racing permitholder conducting live
794 racing, the permitholder shall make deductions from purses paid
795 to each kennel operator electing such deduction and shall make a
796 direct payment of such deductions to the local association of
797 greyhound kennel operators formed by a majority of kennel
798 operators under contract with the permitholder. The amount of
799 the deduction shall be at least 1 percent of purses, as
800 determined by the local association of greyhound kennel
801 operators. ~~No~~ Deductions may not be taken pursuant to this
802 paragraph without a kennel operator's specific approval before
803 or after the effective date of this act.

804 ~~(2)(3)~~ For the purpose of this section, the term "live
805 handle" means the handle from wagers placed at the
806 permitholder's establishment on the live greyhound races

807 | conducted at the permitholder's establishment.

808 | Section 10. Paragraph (b) of subsection (3) of section
809 | 550.09515, Florida Statutes, is amended to read:

810 | 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
811 | interest in a permit for nonpayment of taxes.—

812 | (3)~~(a)~~ The division shall revoke the permit of a
813 | thoroughbred horse permitholder that ~~who~~ does not pay tax on
814 | handle for live thoroughbred horse performances for a full
815 | schedule of live races for more than 24 consecutive months
816 | ~~during any 2 consecutive state fiscal years shall be void and~~
817 | ~~shall escheat to and become the property of the state unless~~
818 | such failure to operate and pay tax on handle was the direct
819 | result of fire, strike, war, or other disaster or event beyond
820 | the ability of the permitholder to control. Financial hardship
821 | to the permitholder does ~~shall~~ not, in and of itself, constitute
822 | just cause for failure to operate and pay tax on handle. A
823 | permit revoked under this subsection is void and may not be
824 | reissued.

825 | ~~(b) In order to maximize the tax revenues to the state,~~
826 | ~~the division shall reissue an escheated thoroughbred horse~~
827 | ~~permit to a qualified applicant pursuant to the provisions of~~
828 | ~~this chapter as for the issuance of an initial permit. However,~~
829 | ~~the provisions of this chapter relating to referendum~~
830 | ~~requirements for a pari-mutuel permit shall not apply to the~~
831 | ~~reissuance of an escheated thoroughbred horse permit. As~~
832 | ~~specified in the application and upon approval by the division~~

833 ~~of an application for the permit, the new permit holder shall be~~
 834 ~~authorized to operate a thoroughbred horse facility anywhere in~~
 835 ~~the same county in which the escheated permit was authorized to~~
 836 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
 837 ~~relating to mileage limitations.~~

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

840 550.1625 Greyhound racing ~~degrading~~; taxes.—

841 (2) A permit holder that conducts a greyhound race ~~degrade~~
 842 meet under this chapter must pay the daily license fee, the
 843 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
 844 as provided in s. 550.0951 and is subject to all penalties and
 845 sanctions provided in s. 550.0951(6).

846 Section 12. Section 550.1647, Florida Statutes, is
 847 repealed.

848 Section 13. Section 550.1648, Florida Statutes, is amended
 849 to read:

850 550.1648 Greyhound adoptions.—

851 ~~(1)~~ A greyhound racing ~~Each degrading~~ permit holder
 852 conducting live racing at ~~operating~~ a greyhound racing ~~degrading~~
 853 facility in this state shall provide for a greyhound adoption
 854 booth to be located at the facility.

855 (1) (a) The greyhound adoption booth must be operated on
 856 weekends by personnel or volunteers from a bona fide
 857 organization that promotes or encourages the adoption of
 858 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,

859 as a condition of adoption, must provide sterilization of
860 greyhounds by a licensed veterinarian before relinquishing
861 custody of the greyhound to the adopter. The fee for
862 sterilization may be included in the cost of adoption. As used
863 in this section, the term "weekend" includes the hours during
864 which live greyhound racing is conducted on Friday, Saturday, or
865 Sunday, and the term "bona fide organization that promotes or
866 encourages the adoption of greyhounds" means an organization
867 that provides evidence of compliance with chapter 496 and
868 possesses a valid exemption from federal taxation issued by the
869 Internal Revenue Service. Information pamphlets and application
870 forms shall be provided to the public upon request.

871 (b) ~~In addition,~~ The kennel operator or owner shall notify
872 the permitholder that a greyhound is available for adoption and
873 the permitholder shall provide information concerning the
874 adoption of a greyhound in each race program and shall post
875 adoption information at conspicuous locations throughout the
876 greyhound racing ~~degracing~~ facility. Any greyhound that is
877 participating in a race and that will be available for future
878 adoption must be noted in the race program. The permitholder
879 shall allow greyhounds to be walked through the track facility
880 to publicize the greyhound adoption program.

881 (2) In addition to the charity days authorized under s.
882 550.0351, a greyhound racing permitholder may fund the greyhound
883 adoption program by holding a charity racing day designated as
884 "Greyhound Adopt-A-Pet Day." All profits derived from the

885 operation of the charity day must be placed into a fund used to
886 support activities at the racing facility which promote the
887 adoption of greyhounds. The division may adopt rules for
888 administering the fund. Proceeds from the charity day authorized
889 in this subsection may not be used as a source of funds for the
890 purposes set forth in s. 550.1647.

891 (3) (a) Upon a violation of this section by a permitholder
892 or licensee, the division may impose a penalty as provided in s.
893 550.0251(10) and require the permitholder to take corrective
894 action.

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

898 Section 14. Section 550.2416, Florida Statutes, is created
899 to read:

900 550.2416 Reporting of racing greyhound injuries.—

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

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

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

910 (b) Owner, trainer, or kennel operator who had knowledge

911 of the injury, if the injury occurred at a location other than
912 the racetrack facility, including during transportation.

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

915 (4) The form must include the following:

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

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

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

922 (d) The specific type and bodily location of the injury,
923 the cause of the injury, and the estimated recovery time from
924 the injury.

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

926 1. The racetrack where the injury occurred;

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

929 3. The weather conditions, time, and track conditions when
930 the injury occurred.

931 (f) If the injury occurred when the greyhound was not
932 racing:

933 1. The location where the injury occurred; and

934 2. The circumstances surrounding the injury.

935 (g) Other information that the division determines is
936 necessary to identify injuries to racing greyhounds in this

937 state.

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

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

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

948 (8) The division shall adopt rules to implement this
949 section.

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

952 550.26165 Breeders' awards.—

953 (1) The purpose of this section is to encourage the
954 agricultural activity of breeding and training racehorses in
955 this state. Moneys dedicated in this chapter for use as
956 breeders' awards and stallion awards are to be used for awards
957 to breeders of registered Florida-bred horses winning horseraces
958 and for similar awards to the owners of stallions who sired
959 Florida-bred horses winning stakes races, if the stallions are
960 registered as Florida stallions standing in this state. Such
961 awards shall be given at a uniform rate to all winners of the
962 awards, shall not be greater than 20 percent of the announced

963 gross purse, and shall not be less than 15 percent of the
964 announced gross purse if funds are available. In addition, no
965 less than 17 percent nor more than 40 percent, as determined by
966 the Florida Thoroughbred Breeders' Association, of the moneys
967 dedicated in this chapter for use as breeders' awards and
968 stallion awards for thoroughbreds shall be returned pro rata to
969 the permitholders that generated the moneys for special racing
970 awards to be distributed by the permitholders to owners of
971 thoroughbred horses participating in prescribed thoroughbred
972 stakes races, nonstakes races, or both, all in accordance with a
973 written agreement establishing the rate, procedure, and
974 eligibility requirements for such awards entered into by the
975 permitholder, the Florida Thoroughbred Breeders' Association,
976 and the Florida Horsemen's Benevolent and Protective
977 Association, Inc., except that the plan for the distribution by
978 any permitholder located in the area described in s. 550.615(7)
979 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
980 Florida Thoroughbred Breeders' Association, and the association
981 representing a majority of the thoroughbred racehorse owners and
982 trainers at that location. Awards for thoroughbred races are to
983 be paid through the Florida Thoroughbred Breeders' Association,
984 and awards for standardbred races are to be paid through the
985 Florida Standardbred Breeders and Owners Association. Among
986 other sources specified in this chapter, moneys for thoroughbred
987 breeders' awards will come from the 0.955 percent of handle for
988 thoroughbred races conducted, received, broadcast, or simulcast

989 | under this chapter as provided in s. 550.2625(3). The moneys for
990 | quarter horse and harness breeders' awards will come from the
991 | breaks and uncashed tickets on live quarter horse and harness
992 | racing performances and 1 percent of handle on intertrack
993 | wagering. The funds for these breeders' awards shall be paid to
994 | the respective breeders' associations by the permitholders
995 | conducting the races.

996 | Section 16. Section 550.3341, Florida Statutes, is created
997 | to read:

998 | 550.3341 Nonwagering quarter horse racing partnerships.—In
999 | recognition of the economic and cultural importance of
1000 | nonwagering equine competitions to this state's growing rural
1001 | communities and the importance of agricultural arenas as a key
1002 | focal point for nonwagering equine competitions, and to
1003 | recognize the differences between nonwagering equine
1004 | competitions and traditional quarter horse racing, if a
1005 | qualifying application is received under this section, the
1006 | division shall annually approve one partnership between a
1007 | quarter horse racing permitholder and a licensed nonwagering
1008 | permitholder under s. 550.505 in order to promote the continued
1009 | development of nonwagering equine competitions in growing rural
1010 | communities.

1011 | (1) As part of its license application under s. 550.01215,
1012 | a quarter horse racing permitholder may apply to fully or
1013 | partially substitute live nonwagering equine competitions for
1014 | its live pari-mutuel quarter horse races pursuant to a written

1015 agreement with a licensed nonwagering permitholder under s.
1016 550.505, if the following conditions are met:

1017 (a) The quarter horse racing permitholder's facility is
1018 located in a county with a population of between 30,000 and
1019 75,000 according to the most recent decennial census.

1020 (b) The quarter horse racing permitholder's facility is
1021 located in a community that is, or was previously, included
1022 within a rural area of opportunity as designated by the Governor
1023 pursuant to s. 288.0656.

1024 (c) The live nonwagering equine competitions are conducted
1025 by the licensed nonwagering permitholder, pursuant to lease
1026 agreements, at the quarter horse racing permitholder's pari-
1027 mutuel facility or at a publicly owned agricultural arena
1028 located adjacent to the quarter horse racing permitholder's
1029 pari-mutuel facility.

1030 (d) The nonwagering permit and license are held by the
1031 horsemen's association representing the majority of the quarter
1032 horse owners and trainers at the quarter horse racing
1033 permitholder's pari-mutuel facility and the horsemen's
1034 association has been issued a nonwagering license for the
1035 previous 2 calendar years.

1036 (e) The quarter horse racing permitholder has conducted a
1037 full schedule of live races as defined in s. 550.002(11), either
1038 with or without the use of qualifying nonwagering equine
1039 competitions described in this section, for the previous 2 state
1040 fiscal years.

1041 (2) The live nonwagering equine competitions shall consist
1042 of barrel racing, pole bending, or other rodeo or gymkhana-style
1043 competitions.

1044 (3) Twenty live equine competitions, conducted pursuant to
1045 an agreement approved under this section, shall be considered a
1046 full schedule of live racing in satisfaction of the requirements
1047 of ss. 550.002(11) and 550.334(8).

1048 (4) Payment of purses and breeders awards from quarter
1049 horse racing permitholders who qualify to conduct live
1050 nonwagering equine competitions in accordance with this section
1051 shall be governed by a binding written agreement between the
1052 permitholder and the association representing a majority of the
1053 horse owners and trainers at the permitholder's pari-mutuel
1054 facility.

1055 (5) If more than one quarter horse racing permitholder
1056 applies for the division's approval of a partnership with a
1057 licensed nonwagering permitholder under this section, the
1058 division must approve the partnership that it determines will
1059 best promote the continued development of nonwagering equine
1060 competitions in this state and will make the most significant
1061 contribution to the rural communities in which the competitions
1062 take place.

1063 (6) Quarter horse racing permitholders who qualify to
1064 conduct live nonwagering equine competitions in accordance with
1065 this section are entitled to amend licenses for the 2015-2016
1066 fiscal year through August 31, 2015.

1067 (7) The department may adopt rules as necessary to
 1068 administer this section.

1069 Section 17. Subsections (2) and (3) of section 550.3345,
 1070 Florida Statutes, are amended to read:

1071 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
 1072 thoroughbred racing permit.-

1073 (2) A limited thoroughbred racing permit previously
 1074 converted from ~~Notwithstanding any other provision of law, the~~
 1075 ~~holder of a quarter horse racing permit pursuant to chapter~~
 1076 2010-29, Laws of Florida, issued under s. 550.334 may only be
 1077 held by, ~~within 1 year after the effective date of this section,~~
 1078 ~~apply to the division for a transfer of the quarter horse racing~~
 1079 ~~permit to a not-for-profit corporation formed under state law to~~
 1080 ~~serve the purposes of the state as provided in subsection (1).~~
 1081 The board of directors of the not-for-profit corporation must be
 1082 comprised of 11 members, 4 of whom shall be designated by the
 1083 applicant, 4 of whom shall be designated by the Florida
 1084 Thoroughbred Breeders' Association, and 3 of whom shall be
 1085 designated by the other 8 directors, with at least 1 of these 3
 1086 members being an authorized representative of another
 1087 thoroughbred permitholder in this state. A limited thoroughbred
 1088 racing ~~The not-for-profit corporation shall submit an~~
 1089 ~~application to the division for review and approval of the~~
 1090 ~~transfer in accordance with s. 550.054. Upon approval of the~~
 1091 ~~transfer by the division, and notwithstanding any other~~
 1092 ~~provision of law to the contrary, the not-for-profit corporation~~

1093 ~~may, within 1 year after its receipt of the permit, request that~~
1094 ~~the division convert the quarter horse racing permit to a permit~~
1095 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1096 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1097 ~~racing permit nor its conversion to a limited thoroughbred~~
1098 ~~permit shall be subject to the mileage limitation or the~~
1099 ~~ratification election as set forth under s. 550.054(2) or s.~~
1100 ~~550.0651. Upon receipt of the request for such conversion, the~~
1101 ~~division shall timely issue a converted permit. The converted~~
1102 ~~permit and the not-for-profit corporation are ~~shall be~~ subject~~
1103 ~~to the following requirements:~~

1104 (a) All net revenues derived by the not-for-profit
1105 corporation under the thoroughbred horse racing permit, after
1106 the funding of operating expenses and capital improvements,
1107 shall be dedicated to the enhancement of thoroughbred purses and
1108 breeders', stallion, and special racing awards under this
1109 chapter; the general promotion of the thoroughbred horse
1110 breeding industry; and the care in this state of thoroughbred
1111 horses retired from racing.

1112 (b) From December 1 through April 30, no live thoroughbred
1113 racing may be conducted under the permit on any day during which
1114 another thoroughbred permitholder is conducting live
1115 thoroughbred racing within 125 air miles of the not-for-profit
1116 corporation's pari-mutuel facility unless the other thoroughbred
1117 permitholder gives its written consent.

1118 (c) ~~After the conversion of the quarter horse racing~~

1119 ~~permit and~~ the issuance of its initial license to conduct pari-
 1120 mutuel wagering meets of thoroughbred racing, the not-for-profit
 1121 corporation shall annually apply to the division for a license
 1122 pursuant to s. 550.5251.

1123 (d) Racing under the permit may take place only at the
 1124 location for which the original quarter horse racing permit was
 1125 issued, which may be leased by the not-for-profit corporation
 1126 for that purpose; ~~however, the not-for-profit corporation may,~~
 1127 ~~without the conduct of any ratification election pursuant to s.~~
 1128 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
 1129 ~~another location in the same county provided that such~~
 1130 ~~relocation is approved under the zoning and land use regulations~~
 1131 ~~of the applicable county or municipality.~~

1132 (e) A limited thoroughbred racing ~~no~~ permit converted
 1133 ~~under this section~~ is not eligible for transfer to another
 1134 person or entity.

1135 (3) Unless otherwise provided in this section, ~~after~~
 1136 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1137 be treated under the laws of this state as a thoroughbred racing
 1138 permit and as a thoroughbred racing permitholder, respectively,
 1139 with the exception of ss. 550.054(9)(c) and (d) and ~~s.~~
 1140 550.09515(3).

1141 Section 18. Paragraph (a) of subsection (6) of section
 1142 550.3551, Florida Statutes, is amended to read:

1143 550.3551 Transmission of racing and jai alai information;
 1144 commingling of pari-mutuel pools.-

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1145 (6) (a) ~~A maximum of 20 percent of the total number of~~
1146 ~~races on which wagers are accepted by a greyhound permitholder~~
1147 ~~not located as specified in s. 550.615(6) may be received from~~
1148 ~~locations outside this state.~~ A horseracing or a jai alai
1149 permitholder may not conduct fewer than eight live races or
1150 games on any authorized race day except as provided in this
1151 subsection. A thoroughbred racing permitholder may not conduct
1152 fewer than eight live races on any race day without the written
1153 approval of the Florida Thoroughbred Breeders' Association and
1154 the Florida Horsemen's Benevolent and Protective Association,
1155 Inc., unless it is determined by the department that another
1156 entity represents a majority of the thoroughbred racehorse
1157 owners and trainers in the state. A harness permitholder may
1158 conduct fewer than eight live races on any authorized race day,
1159 except that such permitholder must conduct a full schedule of
1160 live racing during its race meet consisting of at least eight
1161 live races per authorized race day for at least 100 days. Any
1162 harness ~~horse~~ permitholder that during the preceding racing
1163 season conducted a full schedule of live racing may, at any time
1164 during its current race meet, receive full-card broadcasts of
1165 harness horse races conducted at harness racetracks outside this
1166 state at the harness track of the permitholder and accept wagers
1167 on such harness races. With specific authorization from the
1168 division for special racing events, a permitholder may conduct
1169 fewer than eight live races or games when the permitholder also
1170 broadcasts out-of-state races or games. The division may not

1171 grant more than two such exceptions a year for a permitholder in
 1172 any 12-month period, and those two exceptions may not be
 1173 consecutive.

1174 Section 19. Subsections (2), (4), (6), and (7) of section
 1175 550.615, Florida Statutes, are amended, subsections (8), (9),
 1176 and (10) are renumbered as subsections (6), (7), and (8),
 1177 respectively, and amended, and a new subsection (9) is added to
 1178 that section, to read:

1179 550.615 Intertrack wagering.—

1180 (2) A ~~Any~~ track or fronton licensed under this chapter
 1181 which conducted a full schedule of live racing or games in the
 1182 preceding year and any greyhound racing permitholder that
 1183 conducted a full schedule of live racing for a period of at
 1184 least 10 consecutive state fiscal years after the 1996-1997
 1185 state fiscal year or that converted its permit to a permit to
 1186 conduct greyhound racing after that fiscal year is qualified to,
 1187 at any time, receive broadcasts of any class of pari-mutuel race
 1188 or game and accept wagers on such races or games conducted by
 1189 any class of permitholders licensed under this chapter.

1190 (4) In no event shall any intertrack wager be accepted on
 1191 the same class of live races or games of any permitholder
 1192 without the written consent of such operating permitholders
 1193 conducting the same class of live races or games if the guest
 1194 track is within the market area of such operating permitholder.
 1195 A greyhound racing permitholder licensed under this chapter
 1196 which accepts intertrack wagers on live greyhound signals is not

1197 required to obtain the written consent required by this
1198 subsection from any operating greyhound racing permitholder
1199 within its market area.

1200 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1201 ~~any area of the state where there are three or more horserace~~
1202 ~~permitholders within 25 miles of each other, intertrack wagering~~
1203 ~~between permitholders in said area of the state shall only be~~
1204 ~~authorized under the following conditions: Any permitholder,~~
1205 ~~other than a thoroughbred permitholder, may accept intertrack~~
1206 ~~wagers on races or games conducted live by a permitholder of the~~
1207 ~~same class or any harness permitholder located within such area~~
1208 ~~and any harness permitholder may accept wagers on games~~
1209 ~~conducted live by any jai alai permitholder located within its~~
1210 ~~market area and from a jai alai permitholder located within the~~
1211 ~~area specified in this subsection when no jai alai permitholder~~
1212 ~~located within its market area is conducting live jai alai~~
1213 ~~performances; any greyhound or jai alai permitholder may receive~~
1214 ~~broadcasts of and accept wagers on any permitholder of the other~~
1215 ~~class provided that a permitholder, other than the host track,~~
1216 ~~of such other class is not operating a contemporaneous live~~
1217 ~~performance within the market area.~~

1218 ~~(7) In any county of the state where there are only two~~
1219 ~~permits, one for dogracing and one for jai alai, no intertrack~~
1220 ~~wager may be taken during the period of time when a permitholder~~
1221 ~~is not licensed to conduct live races or games without the~~
1222 ~~written consent of the other permitholder that is conducting~~

1223 ~~live races or games. However, if neither permitholder is~~
 1224 ~~conducting live races or games, either permitholder may accept~~
 1225 ~~intertrack wagers on horseraces or on the same class of races or~~
 1226 ~~games, or on both horseraces and the same class of races or~~
 1227 ~~games as is authorized by its permit.~~

1228 (6)~~(8)~~ In any three contiguous counties of the state where
 1229 there are only three permitholders, all of which are greyhound
 1230 permitholders, if a greyhound racing ~~any~~ permitholder leases the
 1231 facility of another greyhound racing permitholder for the
 1232 purpose of conducting all or any portion of ~~the conduct of~~ its
 1233 live race meet pursuant to s. 550.475, such lessee may conduct
 1234 intertrack wagering at its pre-lease permitted facility
 1235 throughout the entire year, including while its live race meet
 1236 is being conducted at the leased facility, ~~if such permitholder~~
 1237 ~~has conducted a full schedule of live racing during the~~
 1238 ~~preceding fiscal year at its pre-lease permitted facility or at~~
 1239 ~~a leased facility, or combination thereof.~~

1240 (7)~~(9)~~ In any two contiguous counties of the state in
 1241 which there are located only four active permits, one for
 1242 thoroughbred horse racing, two for greyhound racing ~~dogracing~~,
 1243 and one for jai alai games, no intertrack wager may be accepted
 1244 on the same class of live races or games of any permitholder
 1245 without the written consent of such operating permitholders
 1246 conducting the same class of live races or games if the guest
 1247 track is within the market area of such operating permitholder.

1248 (8)~~(10)~~ All costs of receiving the transmission of the

1249 broadcasts shall be borne by the guest track; and all costs of
 1250 sending the broadcasts shall be borne by the host track.

1251 (9) A greyhound racing permitholder, identified in
 1252 subsection (2), operating pursuant to a current year's operating
 1253 license that specifies no live performances or less than a full
 1254 schedule of live performances is qualified to:

1255 (a) Receive broadcasts at any time of any class of pari-
 1256 mutuel race or game and accept wagers on such races or games
 1257 conducted by any class of permitholder licensed under this
 1258 chapter; and

1259 (b) Accept wagers on live races conducted at out-of-state
 1260 greyhound tracks only on the days when such permitholder
 1261 receives all live races that any greyhound host track in this
 1262 state makes available.

1263 Section 20. Paragraphs (d), (f), and (g) of subsection (9)
 1264 of section 550.6305, Florida Statutes, are amended to read:

1265 550.6305 Intertrack wagering; guest track payments;
 1266 accounting rules.—

1267 (9) A host track that has contracted with an out-of-state
 1268 horse track to broadcast live races conducted at such out-of-
 1269 state horse track pursuant to s. 550.3551(5) may broadcast such
 1270 out-of-state races to any guest track and accept wagers thereon
 1271 in the same manner as is provided in s. 550.3551.

1272 (d) Any permitholder located in any area of the state
 1273 where there are only two permits, one for dogracing and one for
 1274 jai alai, and any permitholder that converted its permit to

1275 conduct jai alai to a permit to conduct greyhound racing in lieu
1276 of jai alai under s. 550.054(14), Florida Statutes 2014, as
1277 created by s. 6 of chapter 2009-170, Laws of Florida, may accept
1278 wagers on rebroadcasts of out-of-state thoroughbred horse races
1279 from an in-state thoroughbred horse racing permitholder and
1280 shall not be subject to the provisions of paragraph (b) if such
1281 thoroughbred horse racing permitholder located within the area
1282 specified in this paragraph is both conducting live races and
1283 accepting wagers on out-of-state horseraces. In such case, the
1284 guest permitholder shall be entitled to 45 percent of the net
1285 proceeds on wagers accepted at the guest facility. The remaining
1286 proceeds shall be distributed as follows: one-half shall be
1287 retained by the host facility and one-half shall be paid by the
1288 host facility as purses at the host facility.

1289 (f) Any permitholder located in any area of the state
1290 where there are only two permits, one for dogracing and one for
1291 jai alai, and any permitholder that converted its permit to
1292 conduct jai alai to a permit to conduct greyhound racing in lieu
1293 of jai alai under s. 550.054(14), Florida Statutes 2014, as
1294 created by s. 6 of chapter 2009-170, Laws of Florida, may accept
1295 wagers on rebroadcasts of out-of-state harness horse races from
1296 an in-state harness horse racing permitholder and shall not be
1297 subject to the provisions of paragraph (b) if such harness horse
1298 racing permitholder located within the area specified in this
1299 paragraph is conducting live races. In such case, the guest
1300 permitholder shall be entitled to 45 percent of the net proceeds

1301 on wagers accepted at the guest facility. The remaining proceeds
1302 shall be distributed as follows: one-half shall be retained by
1303 the host facility and one-half shall be paid by the host
1304 facility as purses at the host facility.

1305 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
1306 accepts wagers on a simulcast signal must make the signal
1307 available to any permitholder that is eligible to conduct
1308 intertrack wagering under the provisions of ss. 550.615-
1309 550.6345.

1310 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
1311 accepts wagers on a simulcast signal received after 6 p.m. must
1312 make such signal available to any permitholder that is eligible
1313 to conduct intertrack wagering under the provisions of ss.
1314 550.615-550.6345, ~~including any permitholder located as~~
1315 ~~specified in s. 550.615(6)~~. Such guest permitholders are
1316 authorized to accept wagers on such simulcast signal,
1317 notwithstanding any other provision of this chapter to the
1318 contrary.

1319 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
1320 accepts wagers on a simulcast signal received after 6 p.m. must
1321 make such signal available to any permitholder that is eligible
1322 to conduct intertrack wagering under the provisions of ss.
1323 550.615-550.6345, ~~including any permitholder located as~~
1324 ~~specified in s. 550.615(9)~~. Such guest permitholders are
1325 authorized to accept wagers on such simulcast signals for a
1326 number of performances not to exceed that which constitutes a

1327 full schedule of live races for a quarter horse permitholder
 1328 pursuant to s. 550.002(11), notwithstanding any other provision
 1329 of this chapter to the contrary, ~~except that the restrictions~~
 1330 ~~provided in s. 550.615(9)(a) apply to wagers on such simulcast~~
 1331 ~~signals.~~

1332 2. A ~~No~~ thoroughbred racing permitholder may not ~~shall~~ be
 1333 required to continue to rebroadcast a simulcast signal to any
 1334 in-state permitholder if the average per performance gross
 1335 receipts returned to the host permitholder over the preceding
 1336 30-day period were less than \$100. Subject to the provisions of
 1337 s. 550.615(4), as a condition of receiving rebroadcasts of
 1338 thoroughbred simulcast signals under this paragraph, a guest
 1339 permitholder must accept intertrack wagers on all live races
 1340 conducted by all then-operating thoroughbred racing
 1341 permitholders.

1342 Section 21. Section 550.6308, Florida Statutes, is amended
 1343 to read:

1344 550.6308 Limited intertrack wagering license.—In
 1345 recognition of the economic importance of the thoroughbred
 1346 breeding industry to this state, its positive impact on tourism,
 1347 and of the importance of a permanent thoroughbred sales facility
 1348 as a key focal point for the activities of the industry, a
 1349 limited license to conduct intertrack wagering is established to
 1350 ensure the continued viability and public interest in
 1351 thoroughbred breeding in Florida.

1352 (1) (a) Upon application to the division on or before

1353 January 31 of each year, any person that is licensed to conduct
1354 public sales of thoroughbred horses pursuant to s. 535.01, that
1355 has conducted at least 8 ~~15~~ days of thoroughbred horse sales at
1356 a permanent sales facility in this state for at least 3
1357 consecutive years, ~~and that has conducted at least 1 day of~~
1358 ~~nonwagering thoroughbred racing in this state, with a purse~~
1359 ~~structure of at least \$250,000 per year for 2 consecutive years~~
1360 ~~before such application,~~ shall be issued a license, subject to
1361 the conditions set forth in this section, to conduct intertrack
1362 wagering at such a permanent sales facility during the following
1363 periods:

1364 1.(a) Up to 21 days in connection with thoroughbred sales;

1365 2.(b) Between November 1 and May 8;

1366 3.(c) Between May 9 and October 31 at such times and on
1367 such days as any thoroughbred, jai alai, or a greyhound racing
1368 permitholder in the same county is not conducting live
1369 performances; provided that any such permitholder may waive this
1370 requirement, in whole or in part, and allow the licensee under
1371 this section to conduct intertrack wagering during one or more
1372 of the permitholder's live performances; and

1373 4.(d) During the weekend of the Kentucky Derby, the
1374 Preakness, the Belmont, and a Breeders' Cup Meet that is
1375 conducted before November 1 and after May 8.

1376 (b) Only ~~no more than~~ one such license may be issued, and
1377 the no such license may not be issued for a facility located
1378 within 50 miles of any for-profit thoroughbred racing

1379 | permitholder's licensed track.

1380 | (2) If more than one application is submitted for such
1381 | license, the division shall determine which applicant shall be
1382 | granted the license. In making its determination, the division
1383 | shall grant the license to the applicant demonstrating superior
1384 | capabilities, as measured by the length of time the applicant
1385 | has been conducting thoroughbred sales within this state or
1386 | elsewhere, the applicant's total volume of thoroughbred horse
1387 | sales, within this state or elsewhere, the length of time the
1388 | applicant has maintained a permanent thoroughbred sales facility
1389 | in this state, and the quality of the facility.

1390 | (3) The applicant must comply with the provisions of ss.
1391 | 550.125 and 550.1815.

1392 | ~~(4) Intertrack wagering under this section may be~~
1393 | ~~conducted only on thoroughbred horse racing, except that~~
1394 | ~~intertrack wagering may be conducted on any class of pari-mutuel~~
1395 | ~~race or game conducted by any class of permitholders licensed~~
1396 | ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
1397 | ~~permitholders in the same county as the licensee under this~~
1398 | ~~section give their consent.~~

1399 | (4)~~(5)~~ The licensee shall be considered a guest track
1400 | under this chapter. The licensee shall pay 2.5 percent of the
1401 | total contributions to the daily pari-mutuel pool on wagers
1402 | accepted at the licensee's facility on greyhound races or jai
1403 | alai games to the thoroughbred racing permitholder that is
1404 | conducting live races for purses to be paid during its current

1405 racing meet. If more than one thoroughbred racing permitholder
 1406 is conducting live races on a day during which the licensee is
 1407 conducting intertrack wagering on greyhound races or jai alai
 1408 games, the licensee shall allocate these funds between the
 1409 operating thoroughbred racing permitholders on a pro rata basis
 1410 based on the total live handle at the operating permitholders'
 1411 facilities.

1412 Section 22. Section 551.101, Florida Statutes, is amended
 1413 to read:

1414 551.101 Slot machine gaming authorized.—Possession of slot
 1415 machines and conduct of slot machine gaming is only allowed at
 1416 licensed eligible facilities pursuant to this part and
 1417 department rule. ~~Any licensed pari-mutuel facility located in~~
 1418 ~~Miami-Dade County or Broward County existing at the time of~~
 1419 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1420 ~~conducted live racing or games during calendar years 2002 and~~
 1421 ~~2003 may possess slot machines and conduct slot machine gaming~~
 1422 ~~at the location where the pari-mutuel permitholder is authorized~~
 1423 ~~to conduct pari-mutuel wagering activities pursuant to such~~
 1424 ~~permitholder's valid pari-mutuel permit provided that a majority~~
 1425 ~~of voters in a countywide referendum have approved slot machines~~
 1426 ~~at such facility in the respective county.~~ Notwithstanding any
 1427 other provision of law, it is not a crime for a person to
 1428 participate in slot machine gaming at a pari-mutuel facility
 1429 licensed to possess slot machines and conduct slot machine
 1430 gaming or to participate in slot machine gaming described in

1431 this chapter.

1432 Section 23. Subsections (4) and (11) of section 551.102,
1433 Florida Statutes, are amended to read:

1434 551.102 Definitions.—As used in this chapter, the term:

1435 (4) "Eligible facility" means a ~~any~~ licensed pari-mutuel
1436 facility that meets the requirements of s. 551.104(2) ~~located in~~
1437 ~~Miami-Dade County or Broward County existing at the time of~~
1438 ~~adoption of s. 23, Art. X of the State Constitution that has~~
1439 ~~conducted live racing or games during calendar years 2002 and~~
1440 ~~2003 and has been approved by a majority of voters in a~~
1441 ~~countywide referendum to have slot machines at such facility in~~
1442 ~~the respective county; any licensed pari-mutuel facility located~~
1443 ~~within a county as defined in s. 125.011, provided such facility~~
1444 ~~has conducted live racing for 2 consecutive calendar years~~
1445 ~~immediately preceding its application for a slot machine~~
1446 ~~license, pays the required license fee, and meets the other~~
1447 ~~requirements of this chapter; or any licensed pari-mutuel~~
1448 ~~facility in any other county in which a majority of voters have~~
1449 ~~approved slot machines at such facilities in a countywide~~
1450 ~~referendum held pursuant to a statutory or constitutional~~
1451 ~~authorization after the effective date of this section in the~~
1452 ~~respective county, provided such facility has conducted a full~~
1453 ~~schedule of live racing for 2 consecutive calendar years~~
1454 ~~immediately preceding its application for a slot machine~~
1455 ~~license, pays the required license ~~licensed~~ fee, and meets the~~
1456 other requirements of this chapter.

1457 (11) "Slot machine licensee" means a pari-mutuel
1458 permitholder that ~~who~~ holds a slot machine license ~~issued by the~~
1459 ~~division pursuant to this chapter that authorizes such person to~~
1460 ~~possess a slot machine within facilities specified in s. 23,~~
1461 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1462 Section 24. Subsection (2) and paragraph (c) of subsection
1463 (4) of section 551.104, Florida Statutes, are amended, and
1464 subsection (3) of that section is republished, to read:

1465 551.104 License to conduct slot machine gaming.—

1466 (2) An application may be approved by the division only
1467 if:

1468 (a) The facility at which the applicant seeks to operate
1469 slot machines is:

1470 1. A licensed pari-mutuel facility where live racing or
1471 games were conducted during calendar years 2002 and 2003,
1472 located in Miami-Dade County or Broward County, and authorized
1473 for slot machine licensure pursuant to s. 23, Art. X of the
1474 State Constitution;

1475 2. A licensed pari-mutuel facility where a full schedule
1476 of live horseracing has been conducted for 2 consecutive
1477 calendar years immediately preceding its application for a slot
1478 machine license and located within a county as defined in s.
1479 125.011; or

1480 3. A licensed pari-mutuel facility located in a county in
1481 which a majority of voters have approved slot machines at
1482 eligible facilities in a countywide referendum held concurrently

1483 with a general election in which the offices of President and
 1484 Vice President of the United States were on the ballot, if the
 1485 permitholder has conducted at least 250 live performances at the
 1486 facility in accordance with that permitholder's annual operating
 1487 license for 25 consecutive years immediately preceding its
 1488 initial application for a slot machine license, pays the
 1489 required license fee, and meets the other requirements of this
 1490 chapter. However, a license to conduct slot machine gaming may
 1491 not be granted by the division pursuant to this subparagraph
 1492 unless the Gaming Compact between the Seminole Tribe of Florida
 1493 and the State of Florida authorized pursuant to s. 285.710 is
 1494 amended to exempt the slot machine gaming conducted by such slot
 1495 machine licensees from the Seminole Tribe of Florida's exclusive
 1496 gaming rights.

1497 (b) after The voters of the county where the applicant's
 1498 facility is located have authorized by referendum slot machines
 1499 within pari-mutuel facilities in that county ~~as specified in s.~~
 1500 ~~23, Art. X of the State Constitution.~~

1501 (c) Issuance of the license would not trigger a reduction
 1502 in revenue-sharing payments under the Gaming Compact between the
 1503 Seminole Tribe of Florida and the State of Florida.

1504 (3) A slot machine license may be issued only to a
 1505 licensed pari-mutuel permitholder, and slot machine gaming may
 1506 be conducted only at the eligible facility at which the
 1507 permitholder is authorized under its valid pari-mutuel wagering
 1508 permit to conduct pari-mutuel wagering activities.

1509 (4) As a condition of licensure and to maintain continued
 1510 authority for the conduct of slot machine gaming, the slot
 1511 machine licensee shall:

1512 (c) Conduct no fewer than a full schedule of live racing
 1513 or games as defined in s. 550.002(11). A permitholder's
 1514 responsibility to conduct such number of live races or games
 1515 shall be reduced by the number of races or games that could not
 1516 be conducted due to the direct result of fire, war, hurricane,
 1517 or other disaster or event beyond the control of the
 1518 permitholder. A greyhound racing permitholder is exempt from the
 1519 live racing requirement of this paragraph if the permitholder
 1520 conducted a full schedule of live racing for a period of at
 1521 least 10 consecutive state fiscal years after the 2002-2003
 1522 state fiscal year.

1523 Section 25. Subsections (2) and (4) of section 551.114,
 1524 Florida Statutes, are amended to read:

1525 551.114 Slot machine gaming areas.—

1526 (2) The slot machine licensee shall display pari-mutuel
 1527 races or games within the designated slot machine gaming areas
 1528 and offer patrons within the designated slot machine gaming
 1529 areas the ability to engage in pari-mutuel wagering on any live,
 1530 intertrack, and simulcast races conducted or offered to patrons
 1531 of the licensed facility.

1532 (4) Designated slot machine gaming areas may be located
 1533 within the current live gaming facility or in an existing
 1534 building that must be contiguous and connected to the live

1535 gaming facility. If a designated slot machine gaming area is to
1536 be located in a building that is to be constructed, that new
1537 building must be contiguous and connected to the live gaming
1538 facility. For a greyhound racing permitholder licensed to
1539 conduct pari-mutuel activities pursuant to a current year's
1540 operating license that does not require live performances,
1541 designated slot machine gaming areas may be located only within
1542 the eligible facility for which the initial annual slot machine
1543 license was issued.

1544 Section 26. Section 551.116, Florida Statutes, is amended
1545 to read:

1546 551.116 Days and hours of operation.—Slot machine gaming
1547 areas may be open daily throughout the year. The slot machine
1548 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
1549 ~~on Monday through Friday and 24 hours per day on Saturday and~~
1550 ~~Sunday and on those holidays specified in s. 110.117(1).~~

1551 Section 27. Paragraph (b) of subsection (7), paragraph (d)
1552 of subsection (13), and subsections (16) and (17) of section
1553 849.086, Florida Statutes, are amended, paragraphs (c) and (d)
1554 of subsection (5) are redesignated as paragraphs (d) and (e),
1555 respectively, and a new paragraph (c) is added to that
1556 subsection, to read:

1557 849.086 Cardrooms authorized.—

1558 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
1559 operate a cardroom in this state unless such person holds a
1560 valid cardroom license issued pursuant to this section.

1561 (c) A greyhound racing permitholder is exempt from the
1562 live racing requirements of this section if it conducted a full
1563 schedule of live racing for a period of at least 10 consecutive
1564 state fiscal years after the 1996-1997 state fiscal year or if
1565 it converted its permit to a permit to conduct greyhound racing
1566 after that fiscal year. However, as a condition of cardroom
1567 licensure, greyhound racing permitholders who are not conducting
1568 a full schedule of live racing must conduct intertrack wagering
1569 on greyhound signals, to the extent available, on each day of
1570 cardroom operation.

1571 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1572 (b) Any cardroom operator may operate a cardroom at the
1573 pari-mutuel facility daily throughout the year, if the
1574 permitholder meets the requirements under paragraph (5) (b). The
1575 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
1576 ~~Monday through Friday and 24 hours per day on Saturday and~~
1577 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1578 (13) TAXES AND OTHER PAYMENTS.—

1579 (d)1. Each greyhound racing permitholder conducting live
1580 racing and jai alai permitholder that operates a cardroom
1581 facility shall use at least 4 percent of such permitholder's
1582 cardroom monthly gross receipts to supplement greyhound purses
1583 or jai alai prize money, respectively, during the permitholder's
1584 current or next ensuing pari-mutuel meet.

1585 2. Each thoroughbred and harness horse racing permitholder
1586 that operates a cardroom facility shall use at least 50 percent

1587 of such permitholder's cardroom monthly net proceeds as follows:
1588 47 percent to supplement purses and 3 percent to supplement
1589 breeders' awards during the permitholder's next ensuing racing
1590 meet.

1591 3. A ~~No~~ cardroom license or renewal thereof may not ~~shall~~
1592 be issued to an applicant holding a permit under chapter 550 to
1593 conduct pari-mutuel wagering meets of quarter horse racing
1594 unless the applicant has on file with the division a binding
1595 written agreement between the applicant and the Florida Quarter
1596 Horse Racing Association or the association representing a
1597 majority of the horse owners and trainers at the applicant's
1598 eligible facility, governing the payment of purses on live
1599 quarter horse races conducted at the licensee's pari-mutuel
1600 facility. The agreement governing purses may direct the payment
1601 of such purses from revenues generated by any wagering or gaming
1602 the applicant is authorized to conduct under Florida law. All
1603 purses shall be subject to the terms of chapter 550.

1604 (16) LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
1605 mutuel Wagering may ~~shall~~ not issue any initial license under
1606 this section except upon proof in such form as the division may
1607 prescribe that the local government where the applicant for such
1608 license desires to conduct cardroom gaming has voted to approve
1609 such activity by a majority vote of the governing body of the
1610 municipality or the governing body of the county if the facility
1611 is not located in a municipality.

1612 (17) CHANGE OF LOCATION; REFERENDUM.—

1613 ~~(a)~~ Notwithstanding any provisions of this section, no
 1614 cardroom gaming license issued under this section shall be
 1615 transferred, or reissued when such reissuance is in the nature
 1616 of a transfer, so as to permit or authorize a licensee to change
 1617 the location of the cardroom. ~~except upon proof in such form as~~
 1618 ~~the division may prescribe that a referendum election has been~~
 1619 ~~held:~~

1620 ~~1.~~ ~~If the proposed new location is within the same county~~
 1621 ~~as the already licensed location, in the county where the~~
 1622 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1623 ~~of the electors voting on the question in such election voted in~~
 1624 ~~favor of the transfer of such license. However, the division~~
 1625 ~~shall transfer, without requirement of a referendum election,~~
 1626 ~~the cardroom license of any permit holder that relocated its~~
 1627 ~~permit pursuant to s. 550.0555.~~

1628 ~~2.~~ ~~If the proposed new location is not within the same~~
 1629 ~~county as the already licensed location, in the county where the~~
 1630 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1631 ~~of the electors voting on that question in each such election~~
 1632 ~~voted in favor of the transfer of such license.~~

1633 ~~(b)~~ ~~The expense of each referendum held under the~~
 1634 ~~provisions of this subsection shall be borne by the licensee~~
 1635 ~~requesting the transfer.~~

1636 Section 28. Section 849.095, Florida Statutes, is created
 1637 to read:

1638 849.095 Destination resorts referendums.—

1639 (1) The board of county commissioners in a county where an
 1640 eligible facility as defined in s. 551.102(4) is located may
 1641 conduct a countywide referendum of qualified electors or a
 1642 majority-plus-one vote of the board of county commissioners on
 1643 whether to permit the location of a destination resort in that
 1644 county. The outcome of the referendum does not bind any state
 1645 government agency. The ballot question shall be stated as
 1646 follows:

1647 A destination resort is defined as a free-standing
 1648 land-based structure in which class III casino gaming
 1649 may be operated and which also consists of a
 1650 combination of various tourism amenities and
 1651 facilities, including, but not limited to, hotels,
 1652 villas, restaurants, gaming facilities, convention and
 1653 meeting facilities, entertainment facilities,
 1654 attractions, service centers, and shopping centers.
 1655 Examples of class III casino games include slot
 1656 machines, poker, banked card games, roulette, craps,
 1657 and banked games using a wheel, dice, tiles, or other
 1658 equipment.

1659 Should the operation of a destination resort, as
 1660 defined above, be authorized in County, subject
 1661 to a minimum private capital investment of \$1.5
 1662 billion by the operators of the proposed destination
 1663 resort?

1664 ... YES

1665 ... NO

1666

1667 A referendum of the electors under this section shall take
1668 place, if held, during the general election held in November
1669 2016. A vote of the board of county commissioners shall take
1670 place, if held, no later than December 31, 2016.

1671 (2) No later than 30 days after conducting a referendum or
1672 vote pursuant to subsection (1), the results of such referendum
1673 or vote of the board of county commissioners shall be reported
1674 in writing by the board of county commissioners to the Governor,
1675 the President of the Senate, and the Speaker of the House of
1676 Representatives.

1677 Section 29. The Division of Pari-mutuel Wagering of the
1678 Department of Business and Professional Regulation shall revoke
1679 any permit to conduct pari-mutuel wagering when a permitholder
1680 has not conducted live events within the 24 months preceding the
1681 effective date of this act, unless the permit was issued under
1682 s. 550.3345. A permit revoked under this section may not be
1683 reissued.

1684 Section 30. If any provision of this act or its
1685 application to any person or circumstance is held invalid, the
1686 invalidity does not affect other provisions or applications of
1687 this act which can be given effect without the invalid provision
1688 or application, and to this end the provisions of this act are
1689 severable.

1690 Section 31. This act shall take effect upon becoming a

CS/CS/HB 1233

2015

1691 | law.