

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

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

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

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

105 | greyhound racing permitholder from a requirement to
 106 | conduct a minimum number of live racing in order to
 107 | receive, maintain, or renew a cardroom license under
 108 | certain conditions; requiring a greyhound racing
 109 | permitholder to conduct intertrack wagering on
 110 | greyhound signals to operate a cardroom; creating s.
 111 | 849.095, F.S., relating to destination resort
 112 | referendums; authorizing the board of county
 113 | commissioners of certain counties to vote whether to
 114 | authorize destination resorts within the county or to
 115 | conduct a countywide referendum to authorize such
 116 | resorts; specifying that the referendum is not binding
 117 | on state agencies; providing a ballot statement;
 118 | requiring that the results be reported to the Governor
 119 | and the Legislature; directing the division to revoke
 120 | certain pari-mutuel permits; specifying that the
 121 | revoked permits may not be reissued; providing
 122 | severability; providing an effective date.

123 |

124 | Be It Enacted by the Legislature of the State of Florida:

125 |

126 | Section 1. Subsection (11) of section 550.002, Florida
 127 | Statutes, is amended to read:

128 | 550.002 Definitions.—As used in this chapter, the term:

129 | (11) (a) "Full schedule of live racing or games" means: ~~7~~

130 | 1. For a greyhound racing permitholder or jai alai

131 | permitholder, the conduct of a combination of at least 100 live
 132 | evening or matinee performances during the preceding year.~~†~~ for
 133 | a permitholder who has a converted permit or filed an
 134 | application on or before June 1, 1990, for a converted permit,
 135 | the conduct of a combination of at least 100 live evening and
 136 | matinee wagering performances during either of the 2 preceding
 137 | years;

138 | 2. For a jai alai permitholder that ~~who~~ does not operate
 139 | slot machines in its pari-mutuel facility, ~~who~~ has conducted at
 140 | least 100 live performances per year for at least 10 years after
 141 | December 31, 1992, and has had ~~whose~~ handle on live jai alai
 142 | games conducted at its pari-mutuel facility which was ~~has been~~
 143 | less than \$4 million per state fiscal year for at least 2
 144 | consecutive years after June 30, 1992, the conduct of a
 145 | ~~combination of~~ at least 40 live evening or matinee performances
 146 | during the preceding year.~~†~~

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

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

154 | 5. For a harness horse racing permitholder, the conduct of
 155 | at least 100 live regular wagering performances during the
 156 | preceding year.~~†~~

157 6. For a quarter horse racing permitholder at its
 158 facility, unless an alternative schedule of at least 20 live
 159 regular wagering performances each year is agreed upon by the
 160 permitholder and either the Florida Quarter Horse Racing
 161 Association or the horsemen ~~horsemen's~~ association representing
 162 the majority of the quarter horse owners and trainers at the
 163 facility and filed ~~with the division along~~ with its annual
 164 operating license ~~date~~ application.;

165 a. In the 2010-2011 fiscal year, the conduct of at least
 166 20 regular wagering performances.;

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

169 c. For every fiscal year after the 2012-2013 fiscal year,
 170 the conduct of at least 40 live regular wagering performances.;

171 7. For a quarter horse racing permitholder leasing another
 172 licensed racetrack, the conduct of 160 events at the leased
 173 facility during the preceding year.; and

174 8. For a thoroughbred racing permitholder, the conduct of
 175 at least 40 live regular wagering performances during the
 176 preceding year.

177 (b) ~~For a permitholder which is restricted by statute to~~
 178 ~~certain operating periods within the year when other members of~~
 179 ~~its same class of permit are authorized to operate throughout~~
 180 ~~the year, the specified number of live performances which~~
 181 ~~constitute a full schedule of live racing or games shall be~~
 182 ~~adjusted pro rata in accordance with the relationship between~~

183 ~~its authorized operating period and the full calendar year and~~
184 ~~the resulting specified number of live performances shall~~
185 ~~constitute the full schedule of live games for such permitholder~~
186 ~~and all other permitholders of the same class within 100 air~~
187 ~~miles of such permitholder.~~ A live performance must consist of
188 no fewer than eight races or games conducted live for each of a
189 minimum of three performances each week at the permitholder's
190 licensed facility under a single admission charge.

191 Section 2. Subsections (1), (3), and (6) of section
192 550.01215, Florida Statutes, are amended, subsections (3)
193 through (6) are renumbered as subsections (4) through (7),
194 respectively, and a new subsection (3) is added to that section,
195 to read:

196 550.01215 License application; periods of operation; bond,
197 conversion of permit.-

198 (1) Each permitholder shall annually, during the period
199 between December 15 and January 4, file in writing with the
200 division its application for an operating ~~a license to conduct~~
201 ~~performances~~ during the next state fiscal year. Each application
202 for live performances shall specify the number, dates, and
203 starting times of all live performances that ~~which~~ the
204 permitholder intends to conduct. It shall also specify which
205 performances will be conducted as charity or scholarship
206 performances.

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

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

211 2. For each permitholder that elects to operate a
 212 cardroom, the dates and periods of operation the permitholder
 213 intends to operate the cardroom. ~~or,~~

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

218 (b) A greyhound racing permitholder that conducted a full
 219 schedule of live racing for a period of at least 10 consecutive
 220 state fiscal years after the 1996-1997 state fiscal year or that
 221 converted its permit to a permit to conduct greyhound racing
 222 after that fiscal year may specify in its application for an
 223 operating license that it intends to conduct no live racing or
 224 less than a full schedule of live racing in the next state
 225 fiscal year. A greyhound racing permitholder may receive an
 226 operating license to conduct pari-mutuel wagering activities at
 227 another permitholder's greyhound racing facility pursuant to s.
 228 550.475.

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

231 (3) Notwithstanding any other provision of law, no more
 232 than 40 pari-mutuel wagering operating licenses may be issued
 233 each year. If more than 40 permitholders are eligible for
 234 licensure, the division shall issue operating licenses first to

235 those permitholders who conducted pari-mutuel wagering under an
236 operating license in the previous year.

237 ~~(4)(3)~~ The division shall issue each license no later than
238 March 15. Each permitholder shall operate all performances at
239 the date and time specified on its license. The division shall
240 have the authority to approve minor changes in racing dates
241 after a license has been issued. The division may approve
242 changes in racing dates after a license has been issued when
243 there is no objection from any operating permitholder located
244 within 50 miles of the permitholder requesting the changes in
245 operating dates. In the event of an objection, the division
246 shall approve or disapprove the change in operating dates based
247 upon the impact on operating permitholders located within 50
248 miles of the permitholder requesting the change in operating
249 dates. In making the determination to change racing dates, the
250 division shall take into consideration the impact of such
251 changes on state revenues. Notwithstanding any other provision
252 of law, and for the 2015-2016 fiscal year only, the division may
253 approve any changes in racing dates for greyhound permitholders
254 if the request for such changes is received before August 31,
255 2015.

256 ~~(7)(6)~~ A summer jai alai permitholder may apply for an
257 operating license to operate a jai alai fronton only during the
258 summer season beginning May 1 and ending November 30 of each
259 year on such dates as may be selected by the permitholder. Such
260 permitholder is subject to the same taxes and rules and

261 provisions of this chapter which apply to the operation of
262 winter jai alai frontons. A summer jai alai permitholder is not
263 eligible for licensure to conduct a cardroom or a slot machine
264 facility. A summer jai alai permitholder and a winter jai alai
265 permitholder may not operate on the same days or in competition
266 with each other. This subsection does not prevent a summer jai
267 alai licensee from leasing the facilities of a winter jai alai
268 licensee for the operation of a summer meet. Any permit which
269 ~~was converted from a jai alai permit to a greyhound permit may~~
270 ~~be converted to a jai alai permit at any time if the~~
271 ~~permitholder never conducted greyhound racing or if the~~
272 ~~permitholder has not conducted greyhound racing for a period of~~
273 ~~12 consecutive months.~~

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

276 550.0251 The powers and duties of the Division of Pari-
277 mutuel Wagering of the Department of Business and Professional
278 Regulation.—The division shall administer this chapter and
279 regulate the pari-mutuel industry under this chapter and the
280 rules adopted pursuant thereto, and:

281 (1) The division shall make an annual report to the
282 Governor, the President of the Senate, and the Speaker of the
283 House of Representatives. The report shall include, at a
284 minimum:

285 (a) Recent events in the gaming industry, including
286 pending litigation, pending facility license applications, and

287 new and pending rules.

288 (b) Actions of the department relative to the
289 implementation and administration of this chapter.

290 (c) The state revenues and expenses associated with each
291 form of authorized gaming. Revenues and expenses associated with
292 pari-mutuel wagering shall be further delineated by the class of
293 license.

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

296 (e) A summary of disciplinary actions taken by the
297 department.

298 (f) Any suggestions to more effectively achieve ~~showing~~
299 ~~its own actions, receipts derived under the provisions of this~~
300 ~~chapter, the practical effects of the application of this~~
301 ~~chapter, and any suggestions it may approve for the more~~
302 ~~effectual accomplishments of the purposes of this chapter.~~

303 Section 4. Paragraph (b) of subsection (9), paragraph (a)
304 of subsection (11), and subsections (13) and (14) of section
305 550.054, Florida Statutes, are amended, paragraphs (c) through
306 (g) are added to subsection (9), and subsection (15) is added to
307 that section, to read:

308 550.054 Application for permit to conduct pari-mutuel
309 wagering.—

310 (9)

311 (b) The division may revoke or suspend any permit or
312 license issued under this chapter upon the willful violation by

313 the permitholder or licensee of any provision of this chapter or
314 of any rule adopted under this chapter. In lieu of suspending or
315 revoking a permit or license, the division may impose a civil
316 penalty against the permitholder or licensee for a violation of
317 this chapter or any rule adopted by the division, except as
318 provided for in subparagraphs (c)-(h). The penalty so imposed
319 may not exceed \$1,000 for each count or separate offense. All
320 penalties imposed and collected must be deposited with the Chief
321 Financial Officer to the credit of the General Revenue Fund.

322 (c) The division shall revoke the permit of any
323 permitholder that has not obtained an operating license in
324 accordance with s. 550.01215 for a period of more than 24
325 consecutive months after June 30, 2012. The division shall
326 revoke the permit upon adequate notice to the permitholder
327 unless such failure was the direct result of fire, strike, war,
328 or other disaster or event beyond the permitholder's control.
329 Financial hardship to the permitholder does not, in and of
330 itself, constitute just cause for failure to operate.

331 (d) The division shall revoke the permit of any
332 permitholder that does not pay tax on handle for more than 24
333 consecutive months unless such failure to pay tax on handle was
334 the direct result of fire, strike, war, or other disaster or
335 event beyond the permitholder's control. Financial hardship to
336 the permitholder does not, in and of itself, constitute just
337 cause for failure to pay tax on handle.

338 (e) Notwithstanding any other provision of law, a new

339 permit to conduct pari-mutuel wagering may not be approved or
340 issued after July 1, 2015.

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

343 (g) A permitholder may apply to the division to place the
344 permit into inactive status for a period of 12 months pursuant
345 to the rules adopted under this chapter. The division, upon good
346 cause shown by the permitholder, may renew inactive status for
347 up to 12 months. A permit may not be in inactive status for a
348 period of more than 24 consecutive months. Holders of permits in
349 inactive status are not eligible for licensure for pari-mutuel
350 wagering, slot machines, or cardrooms.

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

356 (13) ~~(a)~~ Notwithstanding any provisions of this chapter, a
357 pari-mutuel no thoroughbred horse racing permit or license
358 issued under this chapter may not ~~shall~~ be transferred, or
359 reissued when such reissuance is in the nature of a transfer so
360 as to permit or authorize a licensee to change the location of a
361 pari-mutuel facility, cardroom, or slot machine facility.
362 ~~thoroughbred horse racetrack except upon proof in such form as~~
363 ~~the division may prescribe that a referendum election has been~~
364 ~~held:~~

365 ~~1. If the proposed new location is within the same county~~
366 ~~as the already licensed location, in the county where the~~
367 ~~licensee desires to conduct the race meeting and that a majority~~
368 ~~of the electors voting on that question in such election voted~~
369 ~~in favor of the transfer of such license.~~

370 ~~2. If the proposed new location is not within the same~~
371 ~~county as the already licensed location, in the county where the~~
372 ~~licensee desires to conduct the race meeting and in the county~~
373 ~~where the licensee is already licensed to conduct the race~~
374 ~~meeting and that a majority of the electors voting on that~~
375 ~~question in each such election voted in favor of the transfer of~~
376 ~~such license.~~

377 ~~(b) Each referendum held under the provisions of this~~
378 ~~subsection shall be held in accordance with the electoral~~
379 ~~procedures for ratification of permits, as provided in s.~~
380 ~~550.0651. The expense of each such referendum shall be borne by~~
381 ~~the licensee requesting the transfer.~~

382 ~~(14) Notwithstanding any other provision of law, no pari-~~
383 ~~mutuel facility, cardroom, or slot machine facility may be~~
384 ~~relocated and no pari-mutuel permit may be converted to another~~
385 ~~class of permit.~~

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

389 ~~1. Such permit is located in a county in which the~~
390 ~~division has issued only two pari-mutuel permits pursuant to~~

391 ~~this section;~~

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

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

397 ~~(b) The division, upon application from the holder of a~~
398 ~~jai alai permit meeting all conditions of this section, shall~~
399 ~~convert the permit and shall issue to the permitholder a permit~~
400 ~~to conduct greyhound racing. A permitholder of a permit~~
401 ~~converted under this section shall be required to apply for and~~
402 ~~conduct a full schedule of live racing each fiscal year to be~~
403 ~~eligible for any tax credit provided by this chapter. The holder~~
404 ~~of a permit converted pursuant to this subsection or any holder~~
405 ~~of a permit to conduct greyhound racing located in a county in~~
406 ~~which it is the only permit issued pursuant to this section who~~
407 ~~operates at a leased facility pursuant to s. 550.475 may move~~
408 ~~the location for which the permit has been issued to another~~
409 ~~location within a 30-mile radius of the location fixed in the~~
410 ~~permit issued in that county, provided the move does not cross~~
411 ~~the county boundary and such location is approved under the~~
412 ~~zoning regulations of the county or municipality in which the~~
413 ~~permit is located, and upon such relocation may use the permit~~
414 ~~for the conduct of pari-mutuel wagering and the operation of a~~
415 ~~cardroom. The provisions of s. 550.6305(9) (d) and (f) shall~~
416 ~~apply to any permit converted under this subsection and shall~~

417 ~~continue to apply to any permit which was previously included~~
418 ~~under and subject to such provisions before a conversion~~
419 ~~pursuant to this section occurred.~~

420 Section 5. Section 550.0555, Florida Statutes, is
421 repealed.

422 Section 6. Section 550.0745, Florida Statutes, is
423 repealed.

424 Section 7. Section 550.0951, Florida Statutes, is amended
425 to read:

426 550.0951 Payment of daily license fee and taxes;
427 penalties.—

428 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
429 business of conducting race meetings or jai alai games under
430 this chapter, hereinafter referred to as the "permitholder,"
431 "licensee," or "permittee," shall pay to the division, for the
432 use of the division, a daily license fee on each live or
433 simulcast pari-mutuel event of \$100 for each horserace and \$80
434 for each greyhound race ~~dograce~~ and \$40 for each jai alai game
435 conducted at a racetrack or fronton licensed under this chapter.
436 ~~A In addition to the tax exemption specified in s. 550.0951(1)~~
437 ~~of \$360,000 or \$500,000 per greyhound permitholder per state~~
438 ~~fiscal year, each greyhound permitholder shall receive in the~~
439 ~~current state fiscal year a tax credit equal to the number of~~
440 ~~live greyhound races conducted in the previous state fiscal year~~
441 ~~times the daily license fee specified for each dograce in this~~
442 ~~subsection applicable for the previous state fiscal year. This~~

443 ~~tax credit and the exemption in s. 550.09514(1) shall be~~
444 ~~applicable to any tax imposed by this chapter or the daily~~
445 ~~license fees imposed by this chapter except during any charity~~
446 ~~or scholarship performances conducted pursuant to s. 550.0351.~~
447 ~~Each~~ permitholder may not be required to ~~shall~~ pay daily license
448 fees in excess of ~~not to exceed~~ \$500 per day on any simulcast
449 races or games on which such permitholder accepts wagers
450 regardless of the number of out-of-state events taken or the
451 number of out-of-state locations from which such events are
452 taken. This license fee shall be deposited with the Chief
453 Financial Officer to the credit of the Pari-mutuel Wagering
454 Trust Fund.

455 ~~(b) Each permitholder that cannot utilize the full amount~~
456 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
457 ~~550.09514(1) or the daily license fee credit provided in this~~
458 ~~section may, after notifying the division in writing, elect once~~
459 ~~per state fiscal year on a form provided by the division to~~
460 ~~transfer such exemption or credit or any portion thereof to any~~
461 ~~greyhound permitholder which acts as a host track to such~~
462 ~~permitholder for the purpose of intertrack wagering. Once an~~
463 ~~election to transfer such exemption or credit is filed with the~~
464 ~~division, it shall not be rescinded. The division shall~~
465 ~~disapprove the transfer when the amount of the exemption or~~
466 ~~credit or portion thereof is unavailable to the transferring~~
467 ~~permitholder or when the permitholder who is entitled to~~
468 ~~transfer the exemption or credit or who is entitled to receive~~

469 ~~the exemption or credit owes taxes to the state pursuant to a~~
470 ~~deficiency letter or administrative complaint issued by the~~
471 ~~division. Upon approval of the transfer by the division, the~~
472 ~~transferred tax exemption or credit shall be effective for the~~
473 ~~first performance of the next payment period as specified in~~
474 ~~subsection (5). The exemption or credit transferred to such host~~
475 ~~track may be applied by such host track against any taxes~~
476 ~~imposed by this chapter or daily license fees imposed by this~~
477 ~~chapter. The greyhound permitholder host track to which such~~
478 ~~exemption or credit is transferred shall reimburse such~~
479 ~~permitholder the exact monetary value of such transferred~~
480 ~~exemption or credit as actually applied against the taxes and~~
481 ~~daily license fees of the host track. The division shall ensure~~
482 ~~that all transfers of exemption or credit are made in accordance~~
483 ~~with this subsection and shall have the authority to adopt rules~~
484 ~~to ensure the implementation of this section.~~

485 (2) ADMISSION TAX.—

486 (a) An admission tax equal to 15 percent of the admission
487 charge for entrance to the permitholder's facility and
488 grandstand area, or 10 cents, whichever is greater, is imposed
489 on each person attending a horserace, greyhound race ~~degrace~~, or
490 jai alai game. The permitholder shall be responsible for
491 collecting the admission tax.

492 (b) No admission tax under this chapter or chapter 212
493 shall be imposed on any free passes or complimentary cards
494 issued to persons for which there is no cost to the person for

495 admission to pari-mutuel events.

496 (c) A permitholder may issue tax-free passes to its
 497 officers, officials, and employees or other persons actually
 498 engaged in working at the racetrack, including accredited press
 499 representatives such as reporters and editors, and may also
 500 issue tax-free passes to other permitholders for the use of
 501 their officers and officials. The permitholder shall file with
 502 the division a list of all persons to whom tax-free passes are
 503 issued under this paragraph.

504 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 505 contributions to pari-mutuel pools, the aggregate of which is
 506 hereinafter referred to as "handle," on races or games conducted
 507 by the permitholder. The tax is imposed daily and is based on
 508 the total contributions to all pari-mutuel pools conducted
 509 during the daily performance. If a permitholder conducts more
 510 than one performance daily, the tax is imposed on each
 511 performance separately.

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

514 (b)1. The tax on handle for greyhound racing ~~dog racing~~ is
 515 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
 516 ~~performances held pursuant to s. 550.0351, and for intertrack~~
 517 ~~wagering on such charity performances at a guest greyhound track~~
 518 ~~within the market area of the host, the tax is 7.6 percent of~~
 519 ~~the handle.~~

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

521 handle.

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

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

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

527 (III) If the host track is a dog track ~~harness track~~, 1.28
528 5.5 percent of the handle to be remitted by the guest track. ~~if~~
529 ~~the host track is a dog track, and~~

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

532 b. The tax on handle for intertrack wagering is 0.5
533 percent if the host track and the guest track are thoroughbred
534 racing permitholders or if the guest track is located outside
535 the market area of a nongreyhound ~~the~~ host track and within the
536 market area of a thoroughbred racing permitholder currently
537 conducting a live race meet.

538 c. The tax on handle for intertrack wagering on
539 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent
540 of the handle and 1.5 percent of the handle for intertrack
541 wagering on rebroadcasts of simulcast harness horseraces.

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

544 3.2. The tax on handle for intertrack wagers accepted by
545 any dog track located as specified in s. 550.615(6) ~~in an area~~
546 ~~of the state in which there are only three permitholders, all of~~

547 ~~which are greyhound permitholders, located in three contiguous~~
548 ~~counties, from any greyhound permitholder also located within~~
549 ~~such area or any dog track or jai alai fronton located as~~
550 ~~specified in s. 550.615(7) ~~550.615(6) or (9)~~, on races or games~~
551 ~~received from the same class of permitholder located within the~~
552 ~~same market area, is 3.9 percent if the host facility is a~~
553 ~~greyhound permitholder and, if the host facility is a jai alai~~
554 ~~permitholder, the rate shall be 6.1 percent except that it shall~~
555 ~~be 2.3 percent on handle at such time as the total tax on~~
556 ~~intertrack handle paid to the division by the permitholder~~
557 ~~during the current state fiscal year exceeds the total tax on~~
558 ~~intertrack handle paid to the division by the permitholder~~
559 ~~during the 1992-1993 state fiscal year.~~

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

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

569 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
570 imposed by this section shall be paid to the division. The
571 division shall deposit these sums with the Chief Financial
572 Officer, to the credit of the Pari-mutuel Wagering Trust Fund,

573 hereby established. The permitholder shall remit to the division
574 payment for the daily license fee, the admission tax, the tax on
575 handle, and the breaks tax. Such payments shall be remitted by 3
576 p.m. Wednesday of each week for taxes imposed and collected for
577 the preceding week ending on Sunday. Beginning on July 1, 2012,
578 such payments shall be remitted by 3 p.m. on the 5th day of each
579 calendar month for taxes imposed and collected for the preceding
580 calendar month. If the 5th day of the calendar month falls on a
581 weekend, payments shall be remitted by 3 p.m. the first Monday
582 following the weekend. Permitholders shall file a report under
583 oath by the 5th day of each calendar month for all taxes
584 remitted during the preceding calendar month. Such payments
585 shall be accompanied by a report under oath showing the total of
586 all admissions, the pari-mutuel wagering activities for the
587 preceding calendar month, and such other information as may be
588 prescribed by the division.

589 (6) PENALTIES.—

590 (a) The failure of any permitholder to make payments as
591 prescribed in subsection (5) is a violation of this section, and
592 the permitholder may be subjected by the division to a civil
593 penalty of up to \$1,000 for each day the tax payment is not
594 remitted. All penalties imposed and collected shall be deposited
595 in the General Revenue Fund. If a permitholder fails to pay
596 penalties imposed by order of the division under this
597 subsection, the division may suspend or revoke the license of
598 the permitholder, cancel the permit of the permitholder, or deny

599 issuance of any further license or permit to the permitholder.

600 (b) In addition to the civil penalty prescribed in
 601 paragraph (a), any willful or wanton failure by any permitholder
 602 to make payments of the daily license fee, admission tax, tax on
 603 handle, or breaks tax constitutes sufficient grounds for the
 604 division to suspend or revoke the license of the permitholder,
 605 to cancel the permit of the permitholder, or to deny issuance of
 606 any further license or permit to the permitholder.

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

609 550.09512 Harness racing ~~horse~~ taxes; abandoned interest
 610 in a permit for nonpayment of taxes.-

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

623 ~~(b) In order to maximize the tax revenues to the state,~~
 624 ~~the division shall reissue an escheated harness horse permit to~~

625 ~~a qualified applicant pursuant to the provisions of this chapter~~
626 ~~as for the issuance of an initial permit. However, the~~
627 ~~provisions of this chapter relating to referendum requirements~~
628 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
629 ~~escheated harness horse permit. As specified in the application~~
630 ~~and upon approval by the division of an application for the~~
631 ~~permit, the new permitholder shall be authorized to operate a~~
632 ~~harness horse facility anywhere in the same county in which the~~
633 ~~escheated permit was authorized to be operated, notwithstanding~~
634 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

635 Section 9. Section 550.09514, Florida Statutes, is amended
636 to read:

637 550.09514 Greyhound racing ~~degracing~~ taxes; purse
638 requirements.-

639 ~~(1) Wagering on greyhound racing is subject to a tax on~~
640 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
641 ~~However, each permitholder shall pay no tax on handle until such~~
642 ~~time as this subsection has resulted in a tax savings per state~~
643 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
644 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
645 ~~remainder of the permitholder's current race meet. For the three~~
646 ~~permitholders that conducted a full schedule of live racing in~~
647 ~~1995, and are closest to another state that authorizes greyhound~~
648 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
649 ~~year shall be \$500,000. The provisions of this subsection~~
650 ~~relating to tax exemptions shall not apply to any charity or~~

651 ~~scholarship performances conducted pursuant to s. 550.0351.~~

652 (1)~~(2)~~(a) The division shall determine for each greyhound
653 racing permitholder the annual purse percentage rate of live
654 handle for the state fiscal year 1993-1994 by dividing total
655 purses paid on live handle by the permitholder, exclusive of
656 payments made from outside sources, during the 1993-1994 state
657 fiscal year by the permitholder's live handle for the 1993-1994
658 state fiscal year. A greyhound ~~Each~~ permitholder conducting live
659 racing during a fiscal year shall pay as purses for such live
660 races conducted during its current race meet a percentage of its
661 live handle not less than the percentage determined under this
662 paragraph, exclusive of payments made by outside sources, for
663 its 1993-1994 state fiscal year.

664 (b) Except as otherwise set forth herein, in addition to
665 the minimum purse percentage required by paragraph (a), each
666 greyhound racing permitholder conducting live racing during a
667 fiscal year shall pay as purses an annual amount of \$60 for each
668 live race conducted ~~equal to 75 percent of the daily license~~
669 ~~fees paid by the greyhound~~ ~~each permitholder in for the~~
670 preceding 1994-1995 fiscal year. ~~This purse supplement shall be~~
671 ~~disbursed weekly during the permitholder's race meet in an~~
672 ~~amount determined by dividing the annual purse supplement by the~~
673 ~~number of performances approved for the permitholder pursuant to~~
674 ~~its annual license and multiplying that amount by the number of~~
675 ~~performances conducted each week. For the greyhound~~
676 ~~permitholders in the county where there are two greyhound~~

677 ~~permitholders located as specified in s. 550.615(6), such~~
678 ~~permitholders shall pay in the aggregate an amount equal to 75~~
679 ~~percent of the daily license fees paid by such permitholders for~~
680 ~~the 1994-1995 fiscal year. These permitholders shall be jointly~~
681 ~~and severally liable for such purse payments.~~ The additional
682 purses provided by this paragraph must be used exclusively for
683 purses other than stakes and shall be disbursed weekly during
684 the permitholder's race meet. The division shall conduct audits
685 necessary to ensure compliance with this section.

686 (c)1. Each greyhound racing permitholder, when conducting
687 at least three live performances during any week, shall pay
688 purses in that week on wagers it accepts as a guest track on
689 intertrack and simulcast greyhound races at the same rate as it
690 pays on live races. Each greyhound racing permitholder, when
691 conducting at least three live performances during any week,
692 shall pay purses in that week, at the same rate as it pays on
693 live races, on wagers accepted on greyhound races at a guest
694 track which is not conducting live racing and is located within
695 the same market area as the greyhound racing permitholder
696 conducting at least three live performances during any week.

697 2. Each host greyhound racing permitholder shall pay
698 purses on its simulcast and intertrack broadcasts of greyhound
699 races to guest facilities that are located outside its market
700 area in an amount equal to one quarter of an amount determined
701 by subtracting the transmission costs of sending the simulcast
702 or intertrack broadcasts from an amount determined by adding the

703 fees received for greyhound simulcast races plus 3 percent of
704 the greyhound intertrack handle at guest facilities that are
705 located outside the market area of the host and that paid
706 contractual fees to the host for such broadcasts of greyhound
707 races.

708 (d) The division shall require sufficient documentation
709 from each greyhound racing permitholder regarding purses paid on
710 live racing to assure that the annual purse percentage rates
711 paid by each greyhound racing permitholder conducting ~~on the~~
712 live races are not reduced below those paid during the 1993-1994
713 state fiscal year. The division shall require sufficient
714 documentation from each greyhound racing permitholder to assure
715 that the purses paid by each permitholder on the greyhound
716 intertrack and simulcast broadcasts are in compliance with the
717 requirements of paragraph (c).

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

729 by s. 6 of chapter 2000-354, Laws of Florida, ~~this act through~~
730 ~~the amendment to s. 550.0951(3)~~ shall be distributed to the
731 guest track, one-third of which amount shall be paid as purses
732 at the guest track. However, if the guest track is a greyhound
733 racing permitholder within the market area of the host or if the
734 guest track is not a greyhound racing permitholder, an amount
735 equal to such tax reduction applicable to the guest track handle
736 shall be retained by the host track, one-third of which amount
737 shall be paid as purses at the host track. These purse funds
738 shall be disbursed in the week received if the permitholder
739 conducts at least one live performance during that week. If the
740 permitholder does not conduct at least one live performance
741 during the week in which the purse funds are received, the purse
742 funds shall be disbursed weekly during the permitholder's next
743 race meet in an amount determined by dividing the purse amount
744 by the number of performances approved for the permitholder
745 pursuant to its annual license, and multiplying that amount by
746 the number of performances conducted each week. The division
747 shall conduct audits necessary to ensure compliance with this
748 paragraph.

749 (f) Each greyhound racing permitholder conducting live
750 racing shall, during the permitholder's race meet, supply kennel
751 operators and the Division of Pari-Mutuel Wagering with a weekly
752 report showing purses paid on live greyhound races and all
753 greyhound intertrack and simulcast broadcasts, including both as
754 a guest and a host together with the handle or commission

755 calculations on which such purses were paid and the transmission
756 costs of sending the simulcast or intertrack broadcasts, so that
757 the kennel operators may determine statutory and contractual
758 compliance.

759 (g) Each greyhound racing permitholder conducting live
760 racing shall make direct payment of purses to the greyhound
761 owners who have filed with such permitholder appropriate federal
762 taxpayer identification information based on the percentage
763 amount agreed upon between the kennel operator and the greyhound
764 owner.

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

777 ~~(2)-(3)~~ For the purpose of this section, the term "live
778 handle" means the handle from wagers placed at the
779 permitholder's establishment on the live greyhound races
780 conducted at the permitholder's establishment.

781 Section 10. Paragraph (b) of subsection (3) of section
782 550.09515, Florida Statutes, is amended to read:

783 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
784 interest in a permit for nonpayment of taxes.—

785 (3) ~~(a)~~ The division shall revoke the permit of a
786 thoroughbred horse permitholder that ~~who~~ does not pay tax on
787 handle for live thoroughbred horse performances for a full
788 schedule of live races for more than 24 consecutive months
789 ~~during any 2 consecutive state fiscal years shall be void and~~
790 ~~shall escheat to and become the property of the state unless~~
791 such failure to operate and pay tax on handle was the direct
792 result of fire, strike, war, or other disaster or event beyond
793 the ability of the permitholder to control. Financial hardship
794 to the permitholder does ~~shall~~ not, in and of itself, constitute
795 just cause for failure to operate and pay tax on handle. A
796 permit revoked under this subsection is void and may not be
797 reissued.

798 ~~(b) In order to maximize the tax revenues to the state,~~
799 ~~the division shall reissue an escheated thoroughbred horse~~
800 ~~permit to a qualified applicant pursuant to the provisions of~~
801 ~~this chapter as for the issuance of an initial permit. However,~~
802 ~~the provisions of this chapter relating to referendum~~
803 ~~requirements for a pari-mutuel permit shall not apply to the~~
804 ~~reissuance of an escheated thoroughbred horse permit. As~~
805 ~~specified in the application and upon approval by the division~~
806 ~~of an application for the permit, the new permitholder shall be~~

807 ~~authorized to operate a thoroughbred horse facility anywhere in~~
808 ~~the same county in which the escheated permit was authorized to~~
809 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
810 ~~relating to mileage limitations.~~

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

813 550.1625 Greyhound racing ~~dogracing~~; taxes.—

814 (2) A permit holder that conducts a greyhound race ~~dograce~~
815 meet under this chapter must pay the daily license fee, the
816 admission tax, ~~the breaks tax,~~ and the tax on pari-mutuel handle
817 as provided in s. 550.0951 and is subject to all penalties and
818 sanctions provided in s. 550.0951(6).

819 Section 12. Section 550.1647, Florida Statutes, is
820 repealed.

821 Section 13. Section 550.1648, Florida Statutes, is amended
822 to read:

823 550.1648 Greyhound adoptions.—

824 ~~(1)~~ A greyhound racing ~~Each dogracing~~ permit holder
825 conducting live racing at ~~operating a greyhound racing dogracing~~
826 facility in this state shall provide for a greyhound adoption
827 booth to be located at the facility.

828 (1)(a) The greyhound adoption booth must be operated on
829 weekends by personnel or volunteers from a bona fide
830 organization that promotes or encourages the adoption of
831 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
832 as a condition of adoption, must provide sterilization of

833 greyhounds by a licensed veterinarian before relinquishing
834 custody of the greyhound to the adopter. The fee for
835 sterilization may be included in the cost of adoption. As used
836 in this section, the term "weekend" includes the hours during
837 which live greyhound racing is conducted on Friday, Saturday, or
838 Sunday, and the term "bona fide organization that promotes or
839 encourages the adoption of greyhounds" means an organization
840 that provides evidence of compliance with chapter 496 and
841 possesses a valid exemption from federal taxation issued by the
842 Internal Revenue Service. Information pamphlets and application
843 forms shall be provided to the public upon request.

844 (b) In addition, The kennel operator or owner shall notify
845 the permitholder that a greyhound is available for adoption and
846 the permitholder shall provide information concerning the
847 adoption of a greyhound in each race program and shall post
848 adoption information at conspicuous locations throughout the
849 greyhound racing ~~dog racing~~ facility. Any greyhound that is
850 participating in a race and that will be available for future
851 adoption must be noted in the race program. The permitholder
852 shall allow greyhounds to be walked through the track facility
853 to publicize the greyhound adoption program.

854 (2) In addition to the charity days authorized under s.
855 550.0351, a greyhound racing permitholder may fund the greyhound
856 adoption program by holding a charity racing day designated as
857 "Greyhound Adopt-A-Pet Day." All profits derived from the
858 operation of the charity day must be placed into a fund used to

859 support activities at the racing facility which promote the
 860 adoption of greyhounds. The division may adopt rules for
 861 administering the fund. Proceeds from the charity day authorized
 862 in this subsection may not be used as a source of funds for the
 863 purposes set forth in s. 550.1647.

864 (3) (a) Upon a violation of this section by a permitholder
 865 or licensee, the division may impose a penalty as provided in s.
 866 550.0251(10) and require the permitholder to take corrective
 867 action.

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

871 Section 14. Section 550.2416, Florida Statutes, is created
 872 to read:

873 550.2416 Reporting of racing greyhound injuries.-

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

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

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

882 (a) Racetrack veterinarian, if the injury occurred at the
 883 racetrack facility; or

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

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

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

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

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

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

894 (d) The specific type and bodily location of the injury,
895 the cause of the injury, and the estimated recovery time from
896 the injury.

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

898 1. The racetrack where the injury occurred;

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

901 3. The weather conditions, time, and track conditions when
902 the injury occurred.

903 (f) If the injury occurred when the greyhound was not
904 racing:

905 1. The location where the injury occurred; and

906 2. The circumstances surrounding the injury.

907 (g) Other information that the division determines is
908 necessary to identify injuries to racing greyhounds in this
909 state.

910 (5) An injury form created pursuant to this section shall

911 be maintained as a public record by the division for at least 7
912 years after the date it was received.

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

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

920 (8) The division shall adopt rules to implement this
921 section.

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

924 550.26165 Breeders' awards.—

925 (1) The purpose of this section is to encourage the
926 agricultural activity of breeding and training racehorses in
927 this state. Moneys dedicated in this chapter for use as
928 breeders' awards and stallion awards are to be used for awards
929 to breeders of registered Florida-bred horses winning horseraces
930 and for similar awards to the owners of stallions who sired
931 Florida-bred horses winning stakes races, if the stallions are
932 registered as Florida stallions standing in this state. Such
933 awards shall be given at a uniform rate to all winners of the
934 awards, shall not be greater than 20 percent of the announced
935 gross purse, and shall not be less than 15 percent of the
936 announced gross purse if funds are available. In addition, no

937 less than 17 percent nor more than 40 percent, as determined by
938 the Florida Thoroughbred Breeders' Association, of the moneys
939 dedicated in this chapter for use as breeders' awards and
940 stallion awards for thoroughbreds shall be returned pro rata to
941 the permitholders that generated the moneys for special racing
942 awards to be distributed by the permitholders to owners of
943 thoroughbred horses participating in prescribed thoroughbred
944 stakes races, nonstakes races, or both, all in accordance with a
945 written agreement establishing the rate, procedure, and
946 eligibility requirements for such awards entered into by the
947 permitholder, the Florida Thoroughbred Breeders' Association,
948 and the Florida Horsemen's Benevolent and Protective
949 Association, Inc., except that the plan for the distribution by
950 any permitholder located in the area described in s. 550.615(7)
951 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
952 Florida Thoroughbred Breeders' Association, and the association
953 representing a majority of the thoroughbred racehorse owners and
954 trainers at that location. Awards for thoroughbred races are to
955 be paid through the Florida Thoroughbred Breeders' Association,
956 and awards for standardbred races are to be paid through the
957 Florida Standardbred Breeders and Owners Association. Among
958 other sources specified in this chapter, moneys for thoroughbred
959 breeders' awards will come from the 0.955 percent of handle for
960 thoroughbred races conducted, received, broadcast, or simulcast
961 under this chapter as provided in s. 550.2625(3). The moneys for
962 quarter horse and harness breeders' awards will come from the

963 breaks and uncashed tickets on live quarter horse and harness
964 racing performances and 1 percent of handle on intertrack
965 wagering. The funds for these breeders' awards shall be paid to
966 the respective breeders' associations by the permitholders
967 conducting the races.

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

970 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
971 thoroughbred racing permit.-

972 (2) A limited thoroughbred racing permit previously
973 converted from ~~Notwithstanding any other provision of law, the~~
974 ~~holder of a quarter horse racing permit pursuant to chapter~~
975 2010-29, Laws of Florida, issued under s. 550.334 may only be
976 held by, ~~within 1 year after the effective date of this section,~~
977 ~~apply to the division for a transfer of the quarter horse racing~~
978 ~~permit to a not-for-profit corporation formed under state law to~~
979 ~~serve the purposes of the state as provided in subsection (1).~~
980 The board of directors of the not-for-profit corporation must be
981 comprised of 11 members, 4 of whom shall be designated by the
982 applicant, 4 of whom shall be designated by the Florida
983 Thoroughbred Breeders' Association, and 3 of whom shall be
984 designated by the other 8 directors, with at least 1 of these 3
985 members being an authorized representative of another
986 thoroughbred permitholder in this state. A limited thoroughbred
987 racing ~~The not-for-profit corporation shall submit an~~
988 ~~application to the division for review and approval of the~~

989 ~~transfer in accordance with s. 550.054. Upon approval of the~~
 990 ~~transfer by the division, and notwithstanding any other~~
 991 ~~provision of law to the contrary, the not-for-profit corporation~~
 992 ~~may, within 1 year after its receipt of the permit, request that~~
 993 ~~the division convert the quarter horse racing permit to a permit~~
 994 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
 995 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
 996 ~~racing permit nor its conversion to a limited thoroughbred~~
 997 ~~permit shall be subject to the mileage limitation or the~~
 998 ~~ratification election as set forth under s. 550.054(2) or s.~~
 999 ~~550.0651. Upon receipt of the request for such conversion, the~~
 1000 ~~division shall timely issue a converted permit. The converted~~
 1001 ~~permit and the not-for-profit corporation are shall be subject~~
 1002 ~~to the following requirements:~~

1003 (a) All net revenues derived by the not-for-profit
 1004 corporation under the thoroughbred horse racing permit, after
 1005 the funding of operating expenses and capital improvements,
 1006 shall be dedicated to the enhancement of thoroughbred purses and
 1007 breeders', stallion, and special racing awards under this
 1008 chapter; the general promotion of the thoroughbred horse
 1009 breeding industry; and the care in this state of thoroughbred
 1010 horses retired from racing.

1011 (b) From December 1 through April 30, no live thoroughbred
 1012 racing may be conducted under the permit on any day during which
 1013 another thoroughbred permitholder is conducting live
 1014 thoroughbred racing within 125 air miles of the not-for-profit

1015 corporation's pari-mutuel facility unless the other thoroughbred
 1016 permitholder gives its written consent.

1017 (c) After ~~the conversion of the quarter horse racing~~
 1018 ~~permit and~~ the issuance of its initial license to conduct pari-
 1019 mutuel wagering meets of thoroughbred racing, the not-for-profit
 1020 corporation shall annually apply to the division for a license
 1021 pursuant to s. 550.5251.

1022 (d) Racing under the permit may take place only at the
 1023 location for which the original quarter horse racing permit was
 1024 issued, which may be leased by the not-for-profit corporation
 1025 for that purpose; ~~however, the not-for-profit corporation may,~~
 1026 ~~without the conduct of any ratification election pursuant to s.~~
 1027 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
 1028 ~~another location in the same county provided that such~~
 1029 ~~relocation is approved under the zoning and land use regulations~~
 1030 ~~of the applicable county or municipality.~~

1031 (e) A limited thoroughbred racing ~~no~~ permit ~~converted~~
 1032 ~~under this section~~ is not eligible for transfer to another
 1033 person or entity.

1034 (3) Unless otherwise provided in this section, ~~after~~
 1035 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1036 be treated under the laws of this state as a thoroughbred racing
 1037 permit and as a thoroughbred racing permitholder, respectively,
 1038 with the exception of ss. 550.054(9)(c) and (d) and s.
 1039 550.09515(3).

1040 Section 17. Paragraph (a) of subsection (6) of section

1041 550.3551, Florida Statutes, is amended to read:
 1042 550.3551 Transmission of racing and jai alai information;
 1043 commingling of pari-mutuel pools.-
 1044 (6) (a) ~~A maximum of 20 percent of the total number of~~
 1045 ~~races on which wagers are accepted by a greyhound permitholder~~
 1046 ~~not located as specified in s. 550.615(6) may be received from~~
 1047 ~~locations outside this state.~~ A horseracing or a jai alai
 1048 permitholder may not conduct fewer than eight live races or
 1049 games on any authorized race day except as provided in this
 1050 subsection. A thoroughbred racing permitholder may not conduct
 1051 fewer than eight live races on any race day without the written
 1052 approval of the Florida Thoroughbred Breeders' Association and
 1053 the Florida Horsemen's Benevolent and Protective Association,
 1054 Inc., unless it is determined by the department that another
 1055 entity represents a majority of the thoroughbred racehorse
 1056 owners and trainers in the state. A harness permitholder may
 1057 conduct fewer than eight live races on any authorized race day,
 1058 except that such permitholder must conduct a full schedule of
 1059 live racing during its race meet consisting of at least eight
 1060 live races per authorized race day for at least 100 days. Any
 1061 harness ~~horse~~ permitholder that during the preceding racing
 1062 season conducted a full schedule of live racing may, at any time
 1063 during its current race meet, receive full-card broadcasts of
 1064 harness horse races conducted at harness racetracks outside this
 1065 state at the harness track of the permitholder and accept wagers
 1066 on such harness races. With specific authorization from the

1067 division for special racing events, a permitholder may conduct
 1068 fewer than eight live races or games when the permitholder also
 1069 broadcasts out-of-state races or games. The division may not
 1070 grant more than two such exceptions a year for a permitholder in
 1071 any 12-month period, and those two exceptions may not be
 1072 consecutive.

1073 Section 18. Subsections (2), (4), (6), and (7) of section
 1074 550.615, Florida Statutes, are amended, subsections (8), (9),
 1075 and (10) are renumbered as subsections (6), (7), and (8),
 1076 respectively, and amended, and a new subsection (9) is added to
 1077 that section, to read:

1078 550.615 Intertrack wagering.—

1079 (2) A ~~Any~~ track or fronton licensed under this chapter
 1080 which conducted a full schedule of live racing or games in the
 1081 preceding year and any greyhound racing permitholder that
 1082 conducted a full schedule of live racing for a period of at
 1083 least 10 consecutive state fiscal years after the 1996-1997
 1084 state fiscal year or that converted its permit to a permit to
 1085 conduct greyhound racing after that fiscal year is qualified to,
 1086 at any time, receive broadcasts of any class of pari-mutuel race
 1087 or game and accept wagers on such races or games conducted by
 1088 any class of permitholders licensed under this chapter.

1089 (4) In no event shall any intertrack wager be accepted on
 1090 the same class of live races or games of any permitholder
 1091 without the written consent of such operating permitholders
 1092 conducting the same class of live races or games if the guest

1093 track is within the market area of such operating permitholder.
 1094 A greyhound racing permitholder licensed under this chapter
 1095 which accepts intertrack wagers on live greyhound signals is not
 1096 required to obtain the written consent required by this
 1097 subsection from any operating greyhound racing permitholder
 1098 within its market area.

1099 ~~(6) Notwithstanding the provisions of subsection (3), in~~
 1100 ~~any area of the state where there are three or more horserace~~
 1101 ~~permitholders within 25 miles of each other, intertrack wagering~~
 1102 ~~between permitholders in said area of the state shall only be~~
 1103 ~~authorized under the following conditions: Any permitholder,~~
 1104 ~~other than a thoroughbred permitholder, may accept intertrack~~
 1105 ~~wagers on races or games conducted live by a permitholder of the~~
 1106 ~~same class or any harness permitholder located within such area~~
 1107 ~~and any harness permitholder may accept wagers on games~~
 1108 ~~conducted live by any jai alai permitholder located within its~~
 1109 ~~market area and from a jai alai permitholder located within the~~
 1110 ~~area specified in this subsection when no jai alai permitholder~~
 1111 ~~located within its market area is conducting live jai alai~~
 1112 ~~performances; any greyhound or jai alai permitholder may receive~~
 1113 ~~broadcasts of and accept wagers on any permitholder of the other~~
 1114 ~~class provided that a permitholder, other than the host track,~~
 1115 ~~of such other class is not operating a contemporaneous live~~
 1116 ~~performance within the market area.~~

1117 ~~(7) In any county of the state where there are only two~~
 1118 ~~permits, one for dogracing and one for jai alai, no intertrack~~

1119 ~~wager may be taken during the period of time when a permit holder~~
1120 ~~is not licensed to conduct live races or games without the~~
1121 ~~written consent of the other permit holder that is conducting~~
1122 ~~live races or games. However, if neither permit holder is~~
1123 ~~conducting live races or games, either permit holder may accept~~
1124 ~~intertrack wagers on horseraces or on the same class of races or~~
1125 ~~games, or on both horseraces and the same class of races or~~
1126 ~~games as is authorized by its permit.~~

1127 (6)~~(8)~~ In any three contiguous counties of the state where
1128 there are only three permit holders, all of which are greyhound
1129 permit holders, if a greyhound racing ~~any~~ permit holder leases the
1130 facility of another greyhound racing permit holder for the
1131 purpose of conducting all or any portion of ~~the conduct of~~ its
1132 live race meet pursuant to s. 550.475, such lessee may conduct
1133 intertrack wagering at its pre-lease permitted facility
1134 throughout the entire year, including while its live race meet
1135 is being conducted at the leased facility, ~~if such permit holder~~
1136 ~~has conducted a full schedule of live racing during the~~
1137 ~~preceding fiscal year at its pre-lease permitted facility or at~~
1138 ~~a leased facility, or combination thereof.~~

1139 (7)~~(9)~~ In any two contiguous counties of the state in
1140 which there are located only four active permits, one for
1141 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
1142 and one for jai alai games, no intertrack wager may be accepted
1143 on the same class of live races or games of any permit holder
1144 without the written consent of such operating permit holders

1145 conducting the same class of live races or games if the guest
 1146 track is within the market area of such operating permitholder.

1147 ~~(8)-(10)~~ All costs of receiving the transmission of the
 1148 broadcasts shall be borne by the guest track; and all costs of
 1149 sending the broadcasts shall be borne by the host track.

1150 (9) A greyhound racing permitholder, identified in
 1151 subsection (2), operating pursuant to a current year's operating
 1152 license that specifies no live performances or less than a full
 1153 schedule of live performances is qualified to:

1154 (a) Receive broadcasts at any time of any class of pari-
 1155 mutuel race or game and accept wagers on such races or games
 1156 conducted by any class of permitholder licensed under this
 1157 chapter; and

1158 (b) Accept wagers on live races conducted at out-of-state
 1159 greyhound tracks only on the days when such permitholder
 1160 receives all live races that any greyhound host track in this
 1161 state makes available.

1162 Section 19. Paragraphs (d), (f), and (g) of subsection (9)
 1163 of section 550.6305, Florida Statutes, are amended to read:

1164 550.6305 Intertrack wagering; guest track payments;
 1165 accounting rules.—

1166 (9) A host track that has contracted with an out-of-state
 1167 horse track to broadcast live races conducted at such out-of-
 1168 state horse track pursuant to s. 550.3551(5) may broadcast such
 1169 out-of-state races to any guest track and accept wagers thereon
 1170 in the same manner as is provided in s. 550.3551.

1171 (d) Any permitholder located in any area of the state
1172 where there are only two permits, one for dogracing and one for
1173 jai alai, and any permitholder that converted its permit under
1174 s. 550.054(14), as created by s. 6 of chapter 2009-170, Laws of
1175 Florida, may accept wagers on rebroadcasts of out-of-state
1176 thoroughbred horse races from an in-state thoroughbred horse
1177 racing permitholder and shall not be subject to the provisions
1178 of paragraph (b) if such thoroughbred horse racing permitholder
1179 located within the area specified in this paragraph is both
1180 conducting live races and accepting wagers on out-of-state
1181 horseraces. In such case, the guest permitholder shall be
1182 entitled to 45 percent of the net proceeds on wagers accepted at
1183 the guest facility. The remaining proceeds shall be distributed
1184 as follows: one-half shall be retained by the host facility and
1185 one-half shall be paid by the host facility as purses at the
1186 host facility.

1187 (f) Any permitholder located in any area of the state
1188 where there are only two permits, one for dogracing and one for
1189 jai alai, and any permitholder that converted its permit under
1190 former s. 550.054(14), as created by s. 6 of chapter 2009-170,
1191 Laws of Florida, may accept wagers on rebroadcasts of out-of-
1192 state harness horse races from an in-state harness horse racing
1193 permitholder and shall not be subject to the provisions of
1194 paragraph (b) if such harness horse racing permitholder located
1195 within the area specified in this paragraph is conducting live
1196 races. In such case, the guest permitholder shall be entitled to

1197 45 percent of the net proceeds on wagers accepted at the guest
 1198 facility. The remaining proceeds shall be distributed as
 1199 follows: one-half shall be retained by the host facility and
 1200 one-half shall be paid by the host facility as purses at the
 1201 host facility.

1202 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
 1203 accepts wagers on a simulcast signal must make the signal
 1204 available to any permitholder that is eligible to conduct
 1205 intertrack wagering under the provisions of ss. 550.615-
 1206 550.6345.

1207 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
 1208 accepts wagers on a simulcast signal received after 6 p.m. must
 1209 make such signal available to any permitholder that is eligible
 1210 to conduct intertrack wagering under the provisions of ss.
 1211 550.615-550.6345, ~~including any permitholder located as~~
 1212 ~~specified in s. 550.615(6)~~. Such guest permitholders are
 1213 authorized to accept wagers on such simulcast signal,
 1214 notwithstanding any other provision of this chapter to the
 1215 contrary.

1216 ~~c.3.~~ Any thoroughbred racing permitholder that ~~which~~
 1217 accepts wagers on a simulcast signal received after 6 p.m. must
 1218 make such signal available to any permitholder that is eligible
 1219 to conduct intertrack wagering under the provisions of ss.
 1220 550.615-550.6345, ~~including any permitholder located as~~
 1221 ~~specified in s. 550.615(9)~~. Such guest permitholders are
 1222 authorized to accept wagers on such simulcast signals for a

1223 number of performances not to exceed that which constitutes a
 1224 full schedule of live races for a quarter horse permitholder
 1225 pursuant to s. 550.002(11), notwithstanding any other provision
 1226 of this chapter to the contrary, ~~except that the restrictions~~
 1227 ~~provided in s. 550.615(9)(a) apply to wagers on such simulcast~~
 1228 ~~signals.~~

1229 2. A ~~no~~ thoroughbred racing permitholder may not ~~shall~~ be
 1230 required to continue to rebroadcast a simulcast signal to any
 1231 in-state permitholder if the average per performance gross
 1232 receipts returned to the host permitholder over the preceding
 1233 30-day period were less than \$100. Subject to the provisions of
 1234 s. 550.615(4), as a condition of receiving rebroadcasts of
 1235 thoroughbred simulcast signals under this paragraph, a guest
 1236 permitholder must accept intertrack wagers on all live races
 1237 conducted by all then-operating thoroughbred racing
 1238 permitholders.

1239 Section 20. Section 550.6308, Florida Statutes, is amended
 1240 to read:

1241 550.6308 Limited intertrack wagering license.—In
 1242 recognition of the economic importance of the thoroughbred
 1243 breeding industry to this state, its positive impact on tourism,
 1244 and of the importance of a permanent thoroughbred sales facility
 1245 as a key focal point for the activities of the industry, a
 1246 limited license to conduct intertrack wagering is established to
 1247 ensure the continued viability and public interest in
 1248 thoroughbred breeding in Florida.

1249 (1) (a) Upon application to the division on or before
 1250 January 31 of each year, any person that is licensed to conduct
 1251 public sales of thoroughbred horses pursuant to s. 535.01, that
 1252 has conducted at least 8 ~~15~~ days of thoroughbred horse sales at
 1253 a permanent sales facility in this state for at least 3
 1254 consecutive years, ~~and that has conducted at least 1 day of~~
 1255 ~~nonwagering thoroughbred racing in this state, with a purse~~
 1256 ~~structure of at least \$250,000 per year for 2 consecutive years~~
 1257 ~~before such application,~~ shall be issued a license, subject to
 1258 the conditions set forth in this section, to conduct intertrack
 1259 wagering at such a permanent sales facility during the following
 1260 periods:

1261 1.(a) Up to 21 days in connection with thoroughbred sales;
 1262 2.(b) Between November 1 and May 8;

1263 3.(e) Between May 9 and October 31 at such times and on
 1264 such days as any thoroughbred, jai alai, or a greyhound racing
 1265 permitholder in the same county is not conducting live
 1266 performances; provided that any such permitholder may waive this
 1267 requirement, in whole or in part, and allow the licensee under
 1268 this section to conduct intertrack wagering during one or more
 1269 of the permitholder's live performances; and

1270 4.(d) During the weekend of the Kentucky Derby, the
 1271 Preakness, the Belmont, and a Breeders' Cup Meet that is
 1272 conducted before November 1 and after May 8.

1273 (b) Only ~~no more than~~ one such license may be issued, and
 1274 the ~~no such~~ license may not be issued for a facility located

1275 within 50 miles of any for-profit thoroughbred racing
 1276 permitholder's licensed track.

1277 (2) If more than one application is submitted for such
 1278 license, the division shall determine which applicant shall be
 1279 granted the license. In making its determination, the division
 1280 shall grant the license to the applicant demonstrating superior
 1281 capabilities, as measured by the length of time the applicant
 1282 has been conducting thoroughbred sales within this state or
 1283 elsewhere, the applicant's total volume of thoroughbred horse
 1284 sales, within this state or elsewhere, the length of time the
 1285 applicant has maintained a permanent thoroughbred sales facility
 1286 in this state, and the quality of the facility.

1287 (3) The applicant must comply with the provisions of ss.
 1288 550.125 and 550.1815.

1289 ~~(4) Intertrack wagering under this section may be~~
 1290 ~~conducted only on thoroughbred horse racing, except that~~
 1291 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
 1292 ~~race or game conducted by any class of permitholders licensed~~
 1293 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
 1294 ~~permitholders in the same county as the licensee under this~~
 1295 ~~section give their consent.~~

1296 (4)-(5) The licensee shall be considered a guest track
 1297 under this chapter. The licensee shall pay 2.5 percent of the
 1298 total contributions to the daily pari-mutuel pool on wagers
 1299 accepted at the licensee's facility on greyhound races or jai
 1300 alai games to the thoroughbred racing permitholder that is

1301 conducting live races for purses to be paid during its current
1302 racing meet. If more than one thoroughbred racing permitholder
1303 is conducting live races on a day during which the licensee is
1304 conducting intertrack wagering on greyhound races or jai alai
1305 games, the licensee shall allocate these funds between the
1306 operating thoroughbred racing permitholders on a pro rata basis
1307 based on the total live handle at the operating permitholders'
1308 facilities.

1309 Section 21. Section 551.101, Florida Statutes, is amended
1310 to read:

1311 551.101 Slot machine gaming authorized.—Possession of slot
1312 machines and conduct of slot machine gaming is only allowed at
1313 licensed eligible facilities pursuant to this part and
1314 department rule. ~~Any licensed pari-mutuel facility located in~~
1315 ~~Miami Dade County or Broward County existing at the time of~~
1316 ~~adoption of s. 23, Art. X of the State Constitution that has~~
1317 ~~conducted live racing or games during calendar years 2002 and~~
1318 ~~2003 may possess slot machines and conduct slot machine gaming~~
1319 ~~at the location where the pari-mutuel permitholder is authorized~~
1320 ~~to conduct pari-mutuel wagering activities pursuant to such~~
1321 ~~permitholder's valid pari-mutuel permit provided that a majority~~
1322 ~~of voters in a countywide referendum have approved slot machines~~
1323 ~~at such facility in the respective county.~~ Notwithstanding any
1324 other provision of law, it is not a crime for a person to
1325 participate in slot machine gaming at a pari-mutuel facility
1326 licensed to possess slot machines and conduct slot machine

1327 gaming or to participate in slot machine gaming described in
 1328 this chapter.

1329 Section 22. Subsections (4) and (11) of section 551.102,
 1330 Florida Statutes, are amended to read:

1331 551.102 Definitions.—As used in this chapter, the term:

1332 (4) "Eligible facility" means a ~~any~~ licensed pari-mutuel
 1333 facility that meets the requirements of s. 551.104(3) ~~located in~~
 1334 ~~Miami Dade County or Broward County existing at the time of~~
 1335 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1336 ~~conducted live racing or games during calendar years 2002 and~~
 1337 ~~2003 and has been approved by a majority of voters in a~~
 1338 ~~countywide referendum to have slot machines at such facility in~~
 1339 ~~the respective county; any licensed pari-mutuel facility located~~
 1340 ~~within a county as defined in s. 125.011, provided such facility~~
 1341 ~~has conducted live racing for 2 consecutive calendar years~~
 1342 ~~immediately preceding its application for a slot machine~~
 1343 ~~license, pays the required license fee, and meets the other~~
 1344 ~~requirements of this chapter; or any licensed pari-mutuel~~
 1345 ~~facility in any other county in which a majority of voters have~~
 1346 ~~approved slot machines at such facilities in a countywide~~
 1347 ~~referendum held pursuant to a statutory or constitutional~~
 1348 ~~authorization after the effective date of this section in the~~
 1349 ~~respective county, provided such facility has conducted a full~~
 1350 ~~schedule of live racing for 2 consecutive calendar years~~
 1351 ~~immediately preceding its application for a slot machine~~
 1352 ~~license, pays the required~~ license ~~licensed~~ fee, and meets the

1353 other requirements of this chapter.

1354 (11) "Slot machine licensee" means a pari-mutuel
 1355 permitholder ~~that who~~ holds a slot machine license ~~issued by the~~
 1356 ~~division pursuant to this chapter that authorizes such person to~~
 1357 ~~possess a slot machine within facilities specified in s. 23,~~
 1358 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1359 Section 23. Subsection (2) and paragraph (c) of subsection
 1360 (4) of section 551.104, Florida Statutes, are amended, and
 1361 subsection (3) of that section is republished, to read:

1362 551.104 License to conduct slot machine gaming.—

1363 (2) An application may be approved by the division only
 1364 if:

1365 (a) The facility at which the applicant seeks to operate
 1366 slot machines is:

1367 1. A licensed pari-mutuel facility where live racing or
 1368 games were conducted during calendar years 2002 and 2003,
 1369 located in Miami-Dade County or Broward County, and authorized
 1370 for slot machine licensure pursuant to s. 23, Art. X of the
 1371 State Constitution;

1372 2. A licensed pari-mutuel facility where a full schedule
 1373 of live horseracing has been conducted for 2 consecutive
 1374 calendar years immediately preceding its application for a slot
 1375 machine license and located within a county as defined in s.
 1376 125.011; or

1377 3. A licensed pari-mutuel facility located in a county in
 1378 which a majority of voters have approved slot machines at

1379 eligible facilities in a countywide referendum held concurrently
1380 with a general election in which the offices of President and
1381 Vice President of the United States were on the ballot, if the
1382 permitholder has conducted at least 250 live performances at the
1383 facility in accordance with that permitholder's annual operating
1384 license for 25 consecutive years immediately preceding its
1385 initial application for a slot machine license, pays the
1386 required license fee, and meets the other requirements of this
1387 chapter. However, a license to conduct slot machine gaming may
1388 not be granted by the division pursuant to this paragraph unless
1389 the Gaming Compact between the Seminole Tribe of Florida and the
1390 State of Florida authorized pursuant to s. 285.710 is amended to
1391 exempt the slot machine gaming conducted by such slot machine
1392 licensees from the Seminole Tribe of Florida's exclusive gaming
1393 rights.

1394 (b) after The voters of the county where the applicant's
1395 facility is located have authorized by referendum slot machines
1396 within pari-mutuel facilities in that county ~~as specified in s.~~
1397 ~~23, Art. X of the State Constitution.~~

1398 (c) Issuance of the license would not trigger a reduction
1399 in revenue-sharing payments under the Gaming Compact between the
1400 Seminole Tribe of Florida and the State of Florida.

1401 (3) A slot machine license may be issued only to a
1402 licensed pari-mutuel permitholder, and slot machine gaming may
1403 be conducted only at the eligible facility at which the
1404 permitholder is authorized under its valid pari-mutuel wagering

1405 permit to conduct pari-mutuel wagering activities.

1406 (4) As a condition of licensure and to maintain continued
1407 authority for the conduct of slot machine gaming, the slot
1408 machine licensee shall:

1409 (c) Conduct no fewer than a full schedule of live racing
1410 or games as defined in s. 550.002(11). A permitholder's
1411 responsibility to conduct such number of live races or games
1412 shall be reduced by the number of races or games that could not
1413 be conducted due to the direct result of fire, war, hurricane,
1414 or other disaster or event beyond the control of the
1415 permitholder. A greyhound racing permitholder is exempt from the
1416 live racing requirement of this paragraph if the permitholder
1417 conducted a full schedule of live racing for a period of at
1418 least 10 consecutive state fiscal years after the 2002-2003
1419 state fiscal year.

1420 Section 24. Subsections (2) and (4) of section 551.114,
1421 Florida Statutes, are amended to read:

1422 551.114 Slot machine gaming areas.—

1423 (2) The slot machine licensee shall display pari-mutuel
1424 races or games within the designated slot machine gaming areas
1425 and offer patrons within the designated slot machine gaming
1426 areas the ability to engage in pari-mutuel wagering on any live,
1427 intertrack, and simulcast races conducted or offered to patrons
1428 of the licensed facility.

1429 (4) Designated slot machine gaming areas may be located
1430 within the current live gaming facility or in an existing

1431 building that must be contiguous and connected to the live
1432 gaming facility. If a designated slot machine gaming area is to
1433 be located in a building that is to be constructed, that new
1434 building must be contiguous and connected to the live gaming
1435 facility. For a greyhound racing permitholder licensed to
1436 conduct pari-mutuel activities pursuant to a current year's
1437 operating license that does not require live performances,
1438 designated slot machine gaming areas may be located only within
1439 the eligible facility for which the initial annual slot machine
1440 license was issued.

1441 Section 25. Section 551.116, Florida Statutes, is amended
1442 to read:

1443 551.116 Days and hours of operation.—Slot machine gaming
1444 areas may be open daily throughout the year. The slot machine
1445 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
1446 ~~on Monday through Friday and 24 hours per day on Saturday and~~
1447 ~~Sunday and on those holidays specified in s. 110.117(1).~~

1448 Section 26. Paragraph (b) of subsection (7), paragraph (d)
1449 of subsection (13), and subsections (16) and (17) of section
1450 849.086, Florida Statutes, are amended, paragraphs (c) and (d)
1451 of subsection (5) are redesignated as paragraphs (d) and (e),
1452 respectively, and a new paragraph (c) is added to that
1453 subsection, to read:

1454 849.086 Cardrooms authorized.—

1455 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
1456 operate a cardroom in this state unless such person holds a

1457 valid cardroom license issued pursuant to this section.

1458 (c) A greyhound racing permitholder is exempt from the
1459 live racing requirements of this section if it conducted a full
1460 schedule of live racing for a period of at least 10 consecutive
1461 state fiscal years after the 1996-1997 state fiscal year or if
1462 it converted its permit to a permit to conduct greyhound racing
1463 after that fiscal year. However, as a condition of cardroom
1464 licensure, greyhound racing permitholders who are not conducting
1465 a full schedule of live racing must conduct intertrack wagering
1466 on greyhound signals, to the extent available, on each day of
1467 cardroom operation.

1468 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1469 (b) Any cardroom operator may operate a cardroom at the
1470 pari-mutuel facility daily throughout the year, if the
1471 permitholder meets the requirements under paragraph (5) (b). The
1472 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
1473 ~~Monday through Friday and 24 hours per day on Saturday and~~
1474 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1475 (13) TAXES AND OTHER PAYMENTS.—

1476 (d)1. Each greyhound racing permitholder conducting live
1477 racing and jai alai permitholder that operates a cardroom
1478 facility shall use at least 4 percent of such permitholder's
1479 cardroom monthly gross receipts to supplement greyhound purses
1480 or jai alai prize money, respectively, during the permitholder's
1481 current or next ensuing pari-mutuel meet.

1482 2. Each thoroughbred and harness horse racing permitholder

1483 that operates a cardroom facility shall use at least 50 percent
1484 of such permitholder's cardroom monthly net proceeds as follows:
1485 47 percent to supplement purses and 3 percent to supplement
1486 breeders' awards during the permitholder's next ensuing racing
1487 meet.

1488 3. A ~~No~~ cardroom license or renewal thereof may not ~~shall~~
1489 be issued to an applicant holding a permit under chapter 550 to
1490 conduct pari-mutuel wagering meets of quarter horse racing
1491 unless the applicant has on file with the division a binding
1492 written agreement between the applicant and the Florida Quarter
1493 Horse Racing Association or the association representing a
1494 majority of the horse owners and trainers at the applicant's
1495 eligible facility, governing the payment of purses on live
1496 quarter horse races conducted at the licensee's pari-mutuel
1497 facility. The agreement governing purses may direct the payment
1498 of such purses from revenues generated by any wagering or gaming
1499 the applicant is authorized to conduct under Florida law. All
1500 purses shall be subject to the terms of chapter 550.

1501 (16) LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
1502 mutuel Wagering may ~~shall~~ not issue any initial license under
1503 this section except upon proof in such form as the division may
1504 prescribe that the local government where the applicant for such
1505 license desires to conduct cardroom gaming has voted to approve
1506 such activity by a majority vote of the governing body of the
1507 municipality or the governing body of the county if the facility
1508 is not located in a municipality.

1509 (17) CHANGE OF LOCATION; REFERENDUM.—
 1510 ~~(a) Notwithstanding any provisions of this section, no~~
 1511 ~~cardroom gaming license issued under this section shall be~~
 1512 ~~transferred, or reissued when such reissuance is in the nature~~
 1513 ~~of a transfer, so as to permit or authorize a licensee to change~~
 1514 ~~the location of the cardroom. except upon proof in such form as~~
 1515 ~~the division may prescribe that a referendum election has been~~
 1516 ~~held:~~
 1517 ~~1. If the proposed new location is within the same county~~
 1518 ~~as the already licensed location, in the county where the~~
 1519 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1520 ~~of the electors voting on the question in such election voted in~~
 1521 ~~favor of the transfer of such license. However, the division~~
 1522 ~~shall transfer, without requirement of a referendum election,~~
 1523 ~~the cardroom license of any permit holder that relocated its~~
 1524 ~~permit pursuant to s. 550.0555.~~
 1525 ~~2. If the proposed new location is not within the same~~
 1526 ~~county as the already licensed location, in the county where the~~
 1527 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1528 ~~of the electors voting on that question in each such election~~
 1529 ~~voted in favor of the transfer of such license.~~
 1530 ~~(b) The expense of each referendum held under the~~
 1531 ~~provisions of this subsection shall be borne by the licensee~~
 1532 ~~requesting the transfer.~~
 1533 Section 27. Section 849.095, Florida Statutes, is created
 1534 to read:

1535 849.095 Destination resorts referendums.—
 1536 (1) The board of county commissioners in a county where an
 1537 eligible facility as defined in s. 551.102(4) is located may
 1538 conduct a countywide referendum of qualified electors or a
 1539 majority-plus-one vote of the board of county commissioners on
 1540 whether to permit the location of a destination resort in that
 1541 county. The outcome of the referendum does not bind any state
 1542 government agency. The ballot question shall be stated as
 1543 follows:
 1544 A destination resort is defined as a free-standing
 1545 land-based structure in which class III casino gaming
 1546 may be operated and which also consists of a
 1547 combination of various tourism amenities and
 1548 facilities, including, but not limited to, hotels,
 1549 villas, restaurants, gaming facilities, convention and
 1550 meeting facilities, entertainment facilities,
 1551 attractions, service centers, and shopping centers.
 1552 Examples of class III casino games include slot
 1553 machines, poker, banked card games, roulette, craps,
 1554 and banked games using a wheel, dice, tiles, or other
 1555 equipment.
 1556 Should the operation of a destination resort, as
 1557 defined above, be authorized in County, subject
 1558 to a minimum private capital investment of \$1.5
 1559 billion by the operators of the proposed destination
 1560 resort?

1561 ... YES

1562 ... NO

1563

1564 A referendum of the electors or vote of the board of county
 1565 commissioners under this section shall take place no later than
 1566 December 31, 2016.

1567 (2) No later than 30 days after conducting a referendum or
 1568 vote pursuant to subsection (1), the results of such referendum
 1569 or vote of the board of county commissioners shall be reported
 1570 in writing by the board of county commissioners to the Governor,
 1571 the President of the Senate, and the Speaker of the House of
 1572 Representatives.

1573 Section 28. The Division of Pari-mutuel Wagering of the
 1574 Department of Business and Professional Regulation shall revoke
 1575 any for-profit permit to conduct pari-mutuel wagering when a
 1576 permitholder has not conducted live events within the 24 months
 1577 preceding the effective date of this act. A permit revoked under
 1578 this section may not be reissued.

1579 Section 29. If any provision of this act or its
 1580 application to any person or circumstance is held invalid, the
 1581 invalidity does not affect other provisions or applications of
 1582 this act which can be given effect without the invalid provision
 1583 or application, and to this end the provisions of this act are
 1584 severable.

1585 Section 30. This act shall take effect upon becoming a
 1586 law.