

1 A bill to be entitled
2 An act relating to decoupling gaming activities from live
3 greyhound racing; amending s. 550.002, F.S., which defines
4 the term "full schedule of live racing or games";
5 providing that a greyhound permitholder shall not be
6 required to conduct a minimum number of live performances;
7 amending s. 550.01215, F.S.; revising requirements for an
8 application for a license to conduct performances;
9 providing an extended period to amend certain
10 applications; amending s. 550.054, F.S.; removing a
11 requirement for holders of certain converted permits to
12 conduct a full schedule of live racing to qualify for
13 certain tax credits; amending s. 550.0951, F.S.; revising
14 provisions for transfer by a permitholder of a tax
15 exemption or license fee credit to a greyhound
16 permitholder; revising the tax on handle for dogracing and
17 intertrack wagering; amending s. 550.09514, F.S.; revising
18 purse requirements for greyhound racing and provisions for
19 payment of purses; amending s. 550.615, F.S.; revising
20 provisions for intertrack wagering; amending ss. 550.26165
21 and 550.6305, F.S.; conforming cross-references to changes
22 made by the act; amending s. 551.104, F.S.; revising a
23 condition of licensure for the conduct of slot machine
24 gaming; amending s. 551.114, F.S.; revising requirements
25 for designated slot machine gaming areas; amending s.
26 849.086, F.S.; revising requirements for initial and
27 renewal issuance of a cardroom license; providing that
28 neither a corresponding pari-mutuel license application

29 nor a minimum number of live performances is required for
 30 a greyhound permitholder to maintain or renew a cardroom
 31 license; providing an effective date.
 32

33 Be It Enacted by the Legislature of the State of Florida:
 34

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

37 550.002 Definitions.—As used in this chapter, the term:

38 (11) "Full schedule of live racing or games" means, for a
 39 greyhound or jai alai permitholder, the conduct of a combination
 40 of at least 100 live evening or matinee performances during the
 41 preceding year; for a permitholder who has a converted permit or
 42 filed an application on or before June 1, 1990, for a converted
 43 permit, the conduct of a combination of at least 100 live
 44 evening and matinee wagering performances during either of the 2
 45 preceding years; for a jai alai permitholder who does not
 46 operate slot machines in its pari-mutuel facility, who has
 47 conducted at least 100 live performances per year for at least
 48 10 years after December 31, 1992, and whose handle on live jai
 49 alai games conducted at its pari-mutuel facility has been less
 50 than \$4 million per state fiscal year for at least 2 consecutive
 51 years after June 30, 1992, the conduct of a combination of at
 52 least 40 live evening or matinee performances during the
 53 preceding year; for a jai alai permitholder who operates slot
 54 machines in its pari-mutuel facility, the conduct of a
 55 combination of at least 150 performances during the preceding
 56 year; for a harness permitholder, the conduct of at least 100

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57 | live regular wagering performances during the preceding year;
58 | for a quarter horse permitholder at its facility unless an
59 | alternative schedule of at least 20 live regular wagering
60 | performances is agreed upon by the permitholder and either the
61 | Florida Quarter Horse Racing Association or the horsemen's
62 | association representing the majority of the quarter horse
63 | owners and trainers at the facility and filed with the division
64 | along with its annual date application, in the 2010-2011 fiscal
65 | year, the conduct of at least 20 regular wagering performances,
66 | in the 2011-2012 and 2012-2013 fiscal years, the conduct of at
67 | least 30 live regular wagering performances, and for every
68 | fiscal year after the 2012-2013 fiscal year, the conduct of at
69 | least 40 live regular wagering performances; for a quarter horse
70 | permitholder leasing another licensed racetrack, the conduct of
71 | 160 events at the leased facility; and for a thoroughbred
72 | permitholder, the conduct of at least 40 live regular wagering
73 | performances during the preceding year. For a permitholder which
74 | is restricted by statute to certain operating periods within the
75 | year when other members of its same class of permit are
76 | authorized to operate throughout the year, the specified number
77 | of live performances which constitute a full schedule of live
78 | racing or games shall be adjusted pro rata in accordance with
79 | the relationship between its authorized operating period and the
80 | full calendar year and the resulting specified number of live
81 | performances shall constitute the full schedule of live games
82 | for such permitholder and all other permitholders of the same
83 | class within 100 air miles of such permitholder. A live
84 | performance must consist of no fewer than eight races or games

85 | conducted live for each of a minimum of three performances each
 86 | week at the permitholder's licensed facility under a single
 87 | admission charge. Notwithstanding any other provision of law,
 88 | beginning with the 2011-2012 fiscal year, there shall be no
 89 | minimum requirement of live performances for greyhound
 90 | permitholders.

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

93 | 550.01215 License application; periods of operation; bond,
 94 | conversion of permit.—

95 | (1) Each permitholder shall annually, during the period
 96 | between December 15 and January 4, file in writing with the
 97 | division its application for a license to conduct pari-mutuel
 98 | wagering activities ~~performances~~ during the next state fiscal
 99 | year. Each application requesting live performances, if any,
 100 | shall specify the number, dates, and starting times of all
 101 | performances which the permitholder intends to conduct. It shall
 102 | also specify which performances will be conducted as charity or
 103 | scholarship performances. In addition, each application for a
 104 | license shall include, for each permitholder which elects to
 105 | operate a cardroom, the dates and periods of operation the
 106 | permitholder intends to operate the cardroom or, for each
 107 | thoroughbred permitholder which elects to receive or rebroadcast
 108 | out-of-state races after 7 p.m., the dates for all performances
 109 | which the permitholder intends to conduct. Permitholders may
 110 | ~~shall be entitled to~~ amend their applications through February
 111 | 28 or, for applications relating to the 2011-2012 fiscal year,
 112 | through August 31, 2011.

113 Section 3. Paragraph (b) of subsection (14) of section
 114 550.054, Florida Statutes, is amended to read:

115 550.054 Application for permit to conduct pari-mutuel
 116 wagering.—

117 (14)

118 (b) The division, upon application from the holder of a
 119 jai alai permit meeting all conditions of this section, shall
 120 convert the permit and shall issue to the permitholder a permit
 121 to conduct greyhound racing. ~~A permitholder of a permit~~
 122 ~~converted under this section shall be required to apply for and~~
 123 ~~conduct a full schedule of live racing each fiscal year to be~~
 124 ~~eligible for any tax credit provided by this chapter.~~ The holder
 125 of a permit converted pursuant to this subsection or any holder
 126 of a permit to conduct greyhound racing located in a county in
 127 which it is the only permit issued pursuant to this section who
 128 operates at a leased facility pursuant to s. 550.475 may move
 129 the location for which the permit has been issued to another
 130 location within a 30-mile radius of the location fixed in the
 131 permit issued in that county, provided the move does not cross
 132 the county boundary and such location is approved under the
 133 zoning regulations of the county or municipality in which the
 134 permit is located, and upon such relocation may use the permit
 135 for the conduct of pari-mutuel wagering and the operation of a
 136 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall
 137 apply to any permit converted under this subsection and shall
 138 continue to apply to any permit which was previously included
 139 under and subject to such provisions before a conversion
 140 pursuant to this section occurred.

141 Section 4. Paragraph (b) of subsection (1) and paragraphs
 142 (b) and (c) of subsection (3) of section 550.0951, Florida
 143 Statutes, are amended to read:

144 550.0951 Payment of daily license fee and taxes;
 145 penalties.—

146 (1)

147 (b) Each permitholder that cannot utilize the full amount
 148 of the exemption of \$360,000 or \$500,000 provided in s.
 149 550.0951(1) or the daily license fee credit provided in this
 150 section may, at any time, after notifying the division in
 151 writing, ~~elect once per state fiscal year~~ on a form provided by
 152 the division, ~~to~~ transfer such exemption or credit or any
 153 portion thereof to any greyhound permitholder which acts as a
 154 host track to such permitholder for the purpose of intertrack
 155 wagering. Once an election to transfer such exemption or credit
 156 is filed with the division, it shall not be rescinded. The
 157 division shall disapprove the transfer when the amount of the
 158 exemption or credit or portion thereof is unavailable to the
 159 transferring permitholder for any reason, including being
 160 unavailable because the transferring permitholder did not
 161 conduct at least 100 live performances of at least eight races
 162 during the fiscal year, or when the permitholder who is entitled
 163 to transfer the exemption or credit or who is entitled to
 164 receive the exemption or credit owes taxes to the state pursuant
 165 to a deficiency letter or administrative complaint issued by the
 166 division. Upon approval of the transfer by the division, the
 167 transferred tax exemption or credit shall be effective for the
 168 first performance of the next payment period as specified in

169 subsection (5). The exemption or credit transferred to such host
 170 track may be applied by such host track against any taxes
 171 imposed by this chapter or daily license fees imposed by this
 172 chapter. The greyhound permitholder host track to which such
 173 exemption or credit is transferred shall reimburse such
 174 permitholder the exact monetary value of such transferred
 175 exemption or credit as actually applied against the taxes and
 176 daily license fees of the host track. The division shall ensure
 177 that all transfers of exemption or credit are made in accordance
 178 with this subsection and shall have the authority to adopt rules
 179 to ensure the implementation of this section.

180 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
 181 contributions to pari-mutuel pools, the aggregate of which is
 182 hereinafter referred to as "handle," on races or games conducted
 183 by the permitholder. The tax is imposed daily and is based on
 184 the total contributions to all pari-mutuel pools conducted
 185 during the daily performance. If a permitholder conducts more
 186 than one performance daily, the tax is imposed on each
 187 performance separately.

188 (b)1. The tax on handle for dogracing is 3.45 ~~5.5~~ percent
 189 of the handle, except that for live charity performances held
 190 pursuant to s. 550.0351, and for intertrack wagering on such
 191 charity performances at a guest greyhound track within the
 192 market area of the host, the tax is 7.6 percent of the handle.

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

195 (c)1. The tax on handle for intertrack wagering is 2.0
 196 percent of the handle if the host track is a horse track, 3.3

197 percent if the host track is a harness track, 3.45 ~~5.5~~ percent
 198 if the host track is a dog track, and 7.1 percent if the host
 199 track is a jai alai fronton. The tax on handle for intertrack
 200 wagering is 0.5 percent if the host track and the guest track
 201 are thoroughbred permitholders or at facilities other than dog
 202 tracks if the guest track is located outside the market area of
 203 the host track and within the market area of a thoroughbred
 204 permitholder currently conducting a live race meet. The tax on
 205 handle for intertrack wagering is 1.5 percent if the host track
 206 and the guest track are greyhound permitholders and the guest
 207 track is located outside the market area of the host track and
 208 within the market area of a thoroughbred permitholder currently
 209 conducting a live race meet. The tax on handle for intertrack
 210 wagering on rebroadcasts of simulcast thoroughbred horseraces is
 211 2.4 percent of the handle and 1.5 percent of the handle for
 212 intertrack wagering on rebroadcasts of simulcast harness
 213 horseraces. The tax shall be deposited into the Pari-mutuel
 214 Wagering Trust Fund.

215 2. The tax on handle for intertrack wagers is ~~accepted by~~
 216 ~~any dog track located in an area of the state in which there are~~
 217 ~~only three permitholders, all of which are greyhound~~
 218 ~~permitholders, located in three contiguous counties, from any~~
 219 ~~greyhound permitholder also located within such area or any dog~~
 220 ~~track or jai alai fronton located as specified in s. 550.615(6)~~
 221 ~~or (9), on races or games received from the same class of~~
 222 ~~permitholder located within the same market area is 3.9 percent~~
 223 ~~if the host facility is a greyhound permitholder and, if the~~
 224 ~~host facility is a jai alai permitholder, the rate shall be 6.1~~

225 percent if the host facility is a jai alai permitholder, except
 226 that it shall be 2.3 percent on handle at such time as the total
 227 tax on intertrack handle paid to the division by the
 228 permitholder during the current state fiscal year exceeds the
 229 total tax on intertrack handle paid to the division by the
 230 permitholder during the 1992-1993 state fiscal year.

231 Section 5. Paragraphs (b), (c), and (e) of subsection (2)
 232 of section 550.09514, Florida Statutes, are amended to read:

233 550.09514 Greyhound dogracing taxes; purse requirements.-
 234 (2)

235 (b) Except as otherwise set forth herein, in addition to
 236 the minimum purse percentage required by paragraph (a), each
 237 permitholder conducting live racing during a fiscal year shall
 238 pay as purses an annual amount equal to 75 percent of the daily
 239 license fees paid by each permitholder for the 1994-1995 fiscal
 240 year. This purse supplement shall be disbursed weekly during the
 241 permitholder's race meet in an amount determined by dividing the
 242 annual purse supplement by the number of performances approved
 243 for the permitholder pursuant to its annual license and
 244 multiplying that amount by the number of performances conducted
 245 each week. ~~For the greyhound permitholders in the county where~~
 246 ~~there are two greyhound permitholders located as specified in s.~~
 247 ~~550.615(6), such permitholders shall pay in the aggregate an~~
 248 ~~amount equal to 75 percent of the daily license fees paid by~~
 249 ~~such permitholders for the 1994-1995 fiscal year. These~~
 250 ~~permitholders shall be jointly and severally liable for such~~
 251 ~~purse payments.~~ The additional purses provided by this paragraph
 252 must be used exclusively for purses other than stakes. The

253 | division shall conduct audits necessary to ensure compliance
 254 | with this section.

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

266 | 2. Each host greyhound permitholder shall pay purses on
 267 | its simulcast and intertrack broadcasts of greyhound races to
 268 | guest facilities that are located outside its market area in an
 269 | amount equal to one quarter of an amount determined by
 270 | subtracting the transmission costs of sending the simulcast or
 271 | intertrack broadcasts from an amount determined by adding the
 272 | fees received for greyhound simulcast races plus 3 percent of
 273 | the greyhound intertrack handle at guest facilities that are
 274 | located outside the market area of the host and that paid
 275 | contractual fees to the host for such broadcasts of greyhound
 276 | races. For guest greyhound permitholders not conducting live
 277 | racing during a fiscal year and not subject to the purse
 278 | requirements of subparagraph 1., 3 percent of the greyhound
 279 | intertrack handle shall be paid to the host greyhound
 280 | permitholder for payment of purses at the host track.

281 (e) In addition to the purse requirements of paragraphs
 282 (a)-(c), each greyhound permitholder shall pay as purses an
 283 amount equal to one-third of the amount of the tax reduction on
 284 live and simulcast handle applicable to such permitholder as a
 285 result of the reductions in tax rates provided by ~~this act~~
 286 ~~through the~~ amendments to s. 550.0951(3). With respect to
 287 intertrack wagering when the host and guest tracks are greyhound
 288 permitholders not within the same market area, an amount equal
 289 to the tax reduction applicable to the guest track handle as a
 290 result of any reductions ~~the reduction~~ in tax rates ~~rate~~
 291 provided by ~~this act through the~~ amendment to s. 550.0951(3),
 292 other than revisions to s. 550.0951(3)(c)1. and 2. made after
 293 December 31, 2010, shall be distributed to the guest track, ~~one-~~
 294 ~~third of which amount shall be paid as purses at the guest~~
 295 ~~track.~~ However, if the guest track is a greyhound permitholder
 296 within the market area of the host or if the guest track is not
 297 a greyhound permitholder, an amount equal to such tax reduction
 298 applicable to the guest track handle shall be retained by the
 299 host track, one-third of which amount shall be paid as purses at
 300 the host track. These purse funds shall be disbursed in the week
 301 received if the permitholder conducts at least one live
 302 performance during that week. If the permitholder does not
 303 conduct at least one live performance during the week in which
 304 the purse funds are received, the purse funds shall be disbursed
 305 weekly during the permitholder's next race meet in an amount
 306 determined by dividing the purse amount by the number of
 307 performances approved for the permitholder pursuant to its
 308 annual license, and multiplying that amount by the number of

309 | performances conducted each week. The division shall conduct
 310 | audits necessary to ensure compliance with this paragraph.

311 | Section 6. Subsection (1) of section 550.26165, Florida
 312 | Statutes, is amended to read:

313 | 550.26165 Breeders' awards.—

314 | (1) The purpose of this section is to encourage the
 315 | agricultural activity of breeding and training racehorses in
 316 | this state. Moneys dedicated in this chapter for use as
 317 | breeders' awards and stallion awards are to be used for awards
 318 | to breeders of registered Florida-bred horses winning horseraces
 319 | and for similar awards to the owners of stallions who sired
 320 | Florida-bred horses winning stakes races, if the stallions are
 321 | registered as Florida stallions standing in this state. Such
 322 | awards shall be given at a uniform rate to all winners of the
 323 | awards, shall not be greater than 20 percent of the announced
 324 | gross purse, and shall not be less than 15 percent of the
 325 | announced gross purse if funds are available. In addition, no
 326 | less than 17 percent nor more than 40 percent, as determined by
 327 | the Florida Thoroughbred Breeders' Association, of the moneys
 328 | dedicated in this chapter for use as breeders' awards and
 329 | stallion awards for thoroughbreds shall be returned pro rata to
 330 | the permitholders that generated the moneys for special racing
 331 | awards to be distributed by the permitholders to owners of
 332 | thoroughbred horses participating in prescribed thoroughbred
 333 | stakes races, nonstakes races, or both, all in accordance with a
 334 | written agreement establishing the rate, procedure, and
 335 | eligibility requirements for such awards entered into by the
 336 | permitholder, the Florida Thoroughbred Breeders' Association,

337 and the Florida Horsemen's Benevolent and Protective
 338 Association, Inc., except that the plan for the distribution by
 339 any permitholder located in the area described in s.
 340 550.615 (8) ~~(9)~~ shall be agreed upon by that permitholder, the
 341 Florida Thoroughbred Breeders' Association, and the association
 342 representing a majority of the thoroughbred racehorse owners and
 343 trainers at that location. Awards for thoroughbred races are to
 344 be paid through the Florida Thoroughbred Breeders' Association,
 345 and awards for standardbred races are to be paid through the
 346 Florida Standardbred Breeders and Owners Association. Among
 347 other sources specified in this chapter, moneys for thoroughbred
 348 breeders' awards will come from the 0.955 percent of handle for
 349 thoroughbred races conducted, received, broadcast, or simulcast
 350 under this chapter as provided in s. 550.2625(3). The moneys for
 351 quarter horse and harness breeders' awards will come from the
 352 breaks and uncashed tickets on live quarter horse and harness
 353 racing performances and 1 percent of handle on intertrack
 354 wagering. The funds for these breeders' awards shall be paid to
 355 the respective breeders' associations by the permitholders
 356 conducting the races.

357 Section 7. Section 550.615, Florida Statutes, is amended
 358 to read:

359 550.615 Intertrack wagering.—

360 (1) Any horserace permitholder licensed under this chapter
 361 which has conducted a full schedule of live racing may, at any
 362 time, receive broadcasts of horseraces and accept wagers on
 363 horseraces conducted by horserace permitholders licensed under
 364 this chapter at its facility.

365 (2) A ~~Any~~ track or fronton licensed under this chapter
 366 that conducted a full schedule of live racing ~~which~~ in the
 367 preceding year or any dog track ~~conducted a full schedule of~~
 368 ~~live racing~~ is qualified to, at any time, receive broadcasts of
 369 any class of pari-mutuel race or game and accept wagers on such
 370 races or games conducted by any class of permitholders licensed
 371 under this chapter.

372 (3) If a permitholder elects to broadcast its signal to
 373 any permitholder in this state, any permitholder that is
 374 eligible to conduct intertrack wagering under the provisions of
 375 ss. 550.615-550.6345 is entitled to receive the broadcast and
 376 conduct intertrack wagering under this section; provided,
 377 however, that the host track may require a guest track within 25
 378 miles of another permitholder to receive in any week at least 60
 379 percent of the live races that the host track is making
 380 available on the days that the guest track is otherwise
 381 operating live races or games. A host track may require a guest
 382 track not operating live races or games and within 25 miles of
 383 another permitholder to accept within any week at least 60
 384 percent of the live races that the host track is making
 385 available. A person may not restrain or attempt to restrain any
 386 permitholder that is otherwise authorized to conduct intertrack
 387 wagering from receiving the signal of any other permitholder or
 388 sending its signal to any permitholder.

389 (4) In no event shall any intertrack wager be accepted on
 390 the same class of live races or games of any permitholder
 391 without the written consent of such operating permitholders
 392 conducting the same class of live races or games if the guest

393 track is within the market area of such operating permitholder.
 394 A greyhound permitholder that accepts intertrack wagers on live
 395 greyhound signals shall not be required to obtain the written
 396 consent required by this subsection from any operating greyhound
 397 permitholder within its market area.

398 (5) No permitholder within the market area of the host
 399 track shall take an intertrack wager on the host track without
 400 the consent of the host track.

401 (6) Notwithstanding the provisions of subsection (3), in
 402 any area of the state where there are three or more horserace
 403 permitholders within 25 miles of each other, intertrack wagering
 404 between permitholders in said area of the state shall only be
 405 authorized under the following conditions: Any permitholder,
 406 other than a thoroughbred permitholder, may accept intertrack
 407 wagers on races or games conducted live by a permitholder of the
 408 same class or any harness permitholder located within such area
 409 and any harness permitholder may accept wagers on games
 410 conducted live by any jai alai permitholder located within its
 411 market area and from a jai alai permitholder located within the
 412 area specified in this subsection when no jai alai permitholder
 413 located within its market area is conducting live jai alai
 414 performances; any greyhound or jai alai permitholder may receive
 415 broadcasts of and accept wagers on any permitholder of the other
 416 class provided that a permitholder, other than the host track,
 417 of such other class is not operating a contemporaneous live
 418 performance within the market area.

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

421 ~~wager may be taken during the period of time when a permitholder~~
 422 ~~is not licensed to conduct live races or games without the~~
 423 ~~written consent of the other permitholder that is conducting~~
 424 ~~live races or games. However, if neither permitholder is~~
 425 ~~conducting live races or games, either permitholder may accept~~
 426 ~~intertrack wagers on horseraces or on the same class of races or~~
 427 ~~games, or on both horseraces and the same class of races or~~
 428 ~~games as is authorized by its permit.~~

429 (7)~~(8)~~ ~~In any three contiguous counties of the state where~~
 430 ~~there are only three permitholders, all of which are greyhound~~
 431 ~~permitholders, If any greyhound permitholder leases the facility~~
 432 ~~of another greyhound permitholder for the purpose of conducting~~
 433 ~~all or any portion of the conduct of its live race meet pursuant~~
 434 ~~to s. 550.475, such lessee may conduct intertrack wagering at~~
 435 ~~its pre-lease permitted facility throughout the entire year,~~
 436 ~~including while its race live meet is being conducted at the~~
 437 ~~leased facility, if such permitholder has conducted a full~~
 438 ~~schedule of live racing during the preceding fiscal year at its~~
 439 ~~pre-lease permitted facility or at a leased facility, or~~
 440 ~~combination thereof.~~

441 (8)~~(9)~~ ~~In any two contiguous counties of the state in~~
 442 ~~which there are located only four active permits, one for~~
 443 ~~thoroughbred horse racing, two for greyhound dogracing, and one~~
 444 ~~for jai alai games, no intertrack wager may be accepted on the~~
 445 ~~same class of live races or games of any permitholder without~~
 446 ~~the written consent of such operating permitholders conducting~~
 447 ~~the same class of live races or games if the guest track is~~
 448 ~~within the market area of such operating permitholder.~~

449 (9)~~(10)~~ All costs of receiving the transmission of the
 450 broadcasts shall be borne by the guest track; and all costs of
 451 sending the broadcasts shall be borne by the host track.

452 Section 8. Paragraph (g) of subsection (9) of section
 453 550.6305, Florida Statutes, is amended to read:

454 550.6305 Intertrack wagering; guest track payments;
 455 accounting rules.—

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

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

465 2. Any thoroughbred permitholder which accepts wagers on a
 466 simulcast signal received after 6 p.m. must make such signal
 467 available to any permitholder that is eligible to conduct
 468 intertrack wagering under the provisions of ss. 550.615-
 469 550.6345, including any permitholder located as specified in s.
 470 550.615(6). Such guest permitholders are authorized to accept
 471 wagers on such simulcast signal, notwithstanding any other
 472 provision of this chapter to the contrary.

473 3. Any thoroughbred permitholder which accepts wagers on a
 474 simulcast signal received after 6 p.m. must make such signal
 475 available to any permitholder that is eligible to conduct
 476 intertrack wagering under the provisions of ss. 550.615-

477 550.6345, including any permitholder located as specified in s.
 478 550.615 (8) ~~(9)~~. Such guest permitholders are authorized to accept
 479 wagers on such simulcast signals for a number of performances
 480 not to exceed that which constitutes a full schedule of live
 481 races for a quarter horse permitholder pursuant to s.
 482 550.002(11), notwithstanding any other provision of this chapter
 483 to the contrary, except that the restrictions provided in s.
 484 550.615 (8) ~~(9)~~ (a) apply to wagers on such simulcast signals.

485
 486 No thoroughbred permitholder shall be required to continue to
 487 rebroadcast a simulcast signal to any in-state permitholder if
 488 the average per performance gross receipts returned to the host
 489 permitholder over the preceding 30-day period were less than
 490 \$100. Subject to the provisions of s. 550.615(4), as a condition
 491 of receiving rebroadcasts of thoroughbred simulcast signals
 492 under this paragraph, a guest permitholder must accept
 493 intertrack wagers on all live races conducted by all then-
 494 operating thoroughbred permitholders.

495 Section 9. Paragraph (c) of subsection (4) of section
 496 551.104, Florida Statutes, is amended to read:

497 551.104 License to conduct slot machine gaming.—

498 (4) As a condition of licensure and to maintain continued
 499 authority for the conduct of slot machine gaming, the slot
 500 machine licensee shall:

501 (c) Conduct no fewer than a full schedule of live racing
 502 or games as defined in s. 550.002(11), except for holders of
 503 greyhound permits, which have no live racing requirement. A
 504 permitholder's responsibility to conduct such number of live

505 races or games shall be reduced by the number of races or games
 506 that could not be conducted due to the direct result of fire,
 507 war, hurricane, or other disaster or event beyond the control of
 508 the permitholder.

509 Section 10. Subsections (2) and (4) of section 551.114,
 510 Florida Statutes, are amended to read:

511 551.114 Slot machine gaming areas.—

512 (2) The slot machine licensee shall display pari-mutuel
 513 races or games within the designated slot machine gaming areas
 514 and offer patrons within the designated slot machine gaming
 515 areas the ability to engage in pari-mutuel wagering on any live,
 516 intertrack, and simulcast races conducted or offered to patrons
 517 of the licensed facility.

518 (4) Designated slot machine gaming areas may be located
 519 within the current live gaming facility or in an existing
 520 building that must be contiguous and connected to the live
 521 gaming facility, if applicable. If a designated slot machine
 522 gaming area is to be located in a building that is to be
 523 constructed, that new building must be contiguous and connected
 524 to the live gaming facility.

525 Section 11. Paragraphs (a) and (b) of subsection (5) and
 526 paragraph (d) of subsection (13) of section 849.086, Florida
 527 Statutes, are amended to read:

528 849.086 Cardrooms authorized.—

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

532 (a) Only those persons holding a valid cardroom license

533 issued by the division may operate a cardroom. A cardroom
 534 license may only be issued to a licensed pari-mutuel
 535 permitholder and an authorized cardroom may only be operated at
 536 the same facility at which the permitholder is authorized under
 537 its valid pari-mutuel wagering permit to conduct pari-mutuel
 538 wagering activities. An initial cardroom license shall be issued
 539 to a pari-mutuel permitholder only after its facilities are in
 540 place and, except for greyhound permitholders, after it conducts
 541 its first day of live racing or games. A greyhound permitholder
 542 that has conducted live racing during each of the 10 years
 543 immediately preceding its application for a cardroom license or
 544 a greyhound permitholder converted pursuant to s. 550.054(14)
 545 shall be issued a cardroom license without regard to licensure
 546 for or actual conduct of live racing.

547 (b) Except for greyhound permitholders ~~After the initial~~
 548 ~~cardroom license is granted,~~ the application for the annual
 549 license renewal shall be made in conjunction with the
 550 applicant's annual application for its pari-mutuel license. If a
 551 permitholder has operated a cardroom during any of the 3
 552 previous fiscal years and fails to include a renewal request for
 553 the operation of the cardroom in its annual application for
 554 license renewal, the permitholder may amend its annual
 555 application to include operation of the cardroom. In order for a
 556 cardroom license to be renewed the applicant must have
 557 requested, as part of its pari-mutuel annual license
 558 application, to conduct at least 90 percent of the total number
 559 of live performances conducted by such permitholder during
 560 either the state fiscal year in which its initial cardroom

561 license was issued or the state fiscal year immediately prior
 562 thereto if the permitholder ran at least a full schedule of live
 563 racing or games in the prior year. If the application is for a
 564 harness permitholder cardroom, the applicant must have requested
 565 authorization to conduct a minimum of 140 live performances
 566 during the state fiscal year immediately prior thereto. If more
 567 than one permitholder is operating at a facility, each
 568 permitholder must have applied for a license to conduct a full
 569 schedule of live racing. However, no corresponding pari-mutuel
 570 license application or minimum numbers of requested or conducted
 571 live performances is required in order for a greyhound
 572 permitholder to maintain or renew a cardroom license.

573 (13) TAXES AND OTHER PAYMENTS.—

574 (d)1. Each greyhound and jai alai permitholder that
 575 operates a cardroom facility shall use at least 4 percent of
 576 such permitholder's cardroom monthly gross receipts to
 577 supplement greyhound purses if live racing is conducted during a
 578 fiscal year, or jai alai prize money, respectively, during the
 579 permitholder's current or next ensuing pari-mutuel meet.

580 2. Each thoroughbred and harness horse racing permitholder
 581 that operates a cardroom facility shall use at least 50 percent
 582 of such permitholder's cardroom monthly net proceeds as follows:
 583 47 percent to supplement purses and 3 percent to supplement
 584 breeders' awards during the permitholder's next ensuing racing
 585 meet.

586 3. No cardroom license or renewal thereof shall be issued
 587 to an applicant holding a permit under chapter 550 to conduct
 588 pari-mutuel wagering meets of quarter horse racing unless the

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589 applicant has on file with the division a binding written
590 agreement between the applicant and the Florida Quarter Horse
591 Racing Association or the association representing a majority of
592 the horse owners and trainers at the applicant's eligible
593 facility, governing the payment of purses on live quarter horse
594 races conducted at the licensee's pari-mutuel facility. The
595 agreement governing purses may direct the payment of such purses
596 from revenues generated by any wagering or gaming the applicant
597 is authorized to conduct under Florida law. All purses shall be
598 subject to the terms of chapter 550.

599 Section 12. This act shall take effect July 1, 2011.