

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; creating s. 550.3341, F.S.; permitting certain
74 quarter horse racng permitholders to substitute
75 certain live nonwagering equine competitions in order
76 to meet the requirements to run a full schedule of
77 live racing; providing requirements for payment of
78 purses for nonwagering equine competitions; limiting

79 | the number of partnerships between quarter horse
80 | racing permitholders and nowagering permitholders to
81 | one; providing rulemaking authority; amending s.
82 | 550.3345, F.S.; revising provisions for a permit
83 | previously converted from a quarter horse racing
84 | permit to a thoroughbred racing permit; amending s.
85 | 550.3551, F.S.; removing a provision that limits the
86 | number of out-of-state races on which wagers are
87 | accepted by a greyhound racing permitholder; removing
88 | greyhound racing permitholders from a live racing
89 | requirement; amending s. 550.615, F.S.; revising
90 | provisions relating to intertrack wagering; amending
91 | s. 550.6305, F.S.; revising provisions requiring
92 | certain simulcast signals be made available to certain
93 | permitholders; amending s. 550.6308, F.S.; revising
94 | the number of days of thoroughbred horse sales
95 | required to obtain a limited intertrack wagering
96 | license; revising provisions for such wagering;
97 | amending s. 551.101, F.S.; revising provisions that
98 | authorize slot machine gaming at certain facilities;
99 | amending s. 551.102, F.S.; revising the definition of
100 | the terms "eligible facility" and "slot machine
101 | licensee" for purposes of provisions relating to slot
102 | machines; amending s. 551.104, F.S.; revising
103 | provisions for approval of a license to conduct slot
104 | machine gaming; specifying that a greyhound racing

105 | permitholder is not required to conduct a full
106 | schedule of live racing to receive and maintain a
107 | license to conduct slot machine gaming; amending s.
108 | 551.114, F.S.; requiring certain greyhound racing
109 | permitholders to locate their slot machine gaming area
110 | in certain locations; amending s. 551.116, F.S.;
111 | revising the times that a slot machine gaming area may
112 | be open; amending s. 849.086, F.S.; revising times
113 | that a cardroom may operate; exempting a greyhound
114 | racing permitholder from a requirement to conduct a
115 | minimum number of live racing in order to receive,
116 | maintain, or renew a cardroom license under certain
117 | conditions; requiring a greyhound racing permitholder
118 | to conduct intertrack wagering on greyhound signals to
119 | operate a cardroom; creating s. 849.095, F.S.,
120 | relating to destination resort referendums;
121 | authorizing the board of county commissioners of
122 | certain counties to vote whether to authorize
123 | destination resorts within the county or to conduct a
124 | countywide referendum to authorize such resorts;
125 | specifying that the referendum is not binding on state
126 | agencies; providing a ballot statement; requiring that
127 | the results be reported to the Governor and the
128 | Legislature; directing the division to revoke certain
129 | pari-mutuel permits; specifying that the revoked
130 | permits may not be reissued; providing severability;

131 providing an effective date.

132

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

134

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

137 550.002 Definitions.—As used in this chapter, the term:

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

139 1. For a greyhound racing permitholder or jai alai
 140 permitholder, the conduct of a combination of at least 100 live
 141 evening or matinee performances during the preceding year. ~~;~~ ~~for~~
 142 ~~a permitholder who has a converted permit or filed an~~
 143 ~~application on or before June 1, 1990, for a converted permit,~~
 144 ~~the conduct of a combination of at least 100 live evening and~~
 145 ~~matinee wagering performances during either of the 2 preceding~~
 146 ~~years;~~

147 2. For a jai alai permitholder that ~~who~~ does not operate
 148 slot machines in its pari-mutuel facility, ~~who~~ has conducted at
 149 least 100 live performances per year for at least 10 years after
 150 December 31, 1992, and has had ~~whose~~ handle on live jai alai
 151 games conducted at its pari-mutuel facility which was ~~has been~~
 152 less than \$4 million per state fiscal year for at least 2
 153 consecutive years after June 30, 1992, the conduct of a
 154 ~~combination of~~ at least 40 live evening or matinee performances
 155 during the preceding year. ~~;~~

156 3. For a jai alai permitholder that ~~who~~ operates slot

157 machines in its pari-mutuel facility, the conduct of a
 158 ~~combination of~~ at least 150 performances during the preceding
 159 year.~~;~~

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

163 5. For a harness horse racing permitholder, the conduct of
 164 at least 100 live regular wagering performances during the
 165 preceding year.~~;~~

166 6. For a quarter horse racing permitholder at its
 167 facility, unless an alternative schedule of at least 20 live
 168 regular wagering performances each year is agreed upon by the
 169 permitholder and either the Florida Quarter Horse Racing
 170 Association or the horsemen ~~horsemen's~~ association representing
 171 the majority of the quarter horse owners and trainers at the
 172 facility and filed ~~with the division along~~ with its annual
 173 operating license ~~date~~ application:~~;~~

174 a. In the 2010-2011 fiscal year, the conduct of at least
 175 20 regular wagering performances.~~;~~

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

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

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

183 8. For a thoroughbred racing permitholder, the conduct of
184 at least 40 live regular wagering performances during the
185 preceding year.

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

200 Section 2. Subsections (1), (3), and (6) of section
201 550.01215, Florida Statutes, are amended, subsections (3)
202 through (6) are renumbered as subsections (4) through (7),
203 respectively, and a new subsection (3) is added to that section,
204 to read:

205 550.01215 License application; periods of operation; bond,
206 conversion of permit.—

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

209 | division its application for an operating a license ~~to conduct~~
 210 | ~~performances~~ during the next state fiscal year. Each application
 211 | for live performances shall specify the number, dates, and
 212 | starting times of all live performances that ~~which~~ the
 213 | permitholder intends to conduct. It shall also specify which
 214 | performances will be conducted as charity or scholarship
 215 | performances.

216 | (a) In addition, each application for an operating a
 217 | license shall include:~~7~~

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

220 | 2. For each permitholder that elects to operate a
 221 | cardroom, the dates and periods of operation the permitholder
 222 | intends to operate the cardroom. ~~or,~~

223 | 3. For each thoroughbred racing permitholder that ~~which~~
 224 | elects to receive or rebroadcast out-of-state races after 7
 225 | p.m., the dates for all performances which the permitholder
 226 | intends to conduct.

227 | (b) A greyhound racing permitholder that conducted a full
 228 | schedule of live racing for a period of at least 10 consecutive
 229 | state fiscal years after the 1996-1997 state fiscal year or that
 230 | converted its permit to a permit to conduct greyhound racing
 231 | after that fiscal year may specify in its application for an
 232 | operating license that it intends to conduct no live racing or
 233 | less than a full schedule of live racing in the next state
 234 | fiscal year. A greyhound racing permitholder may receive an

235 operating license to conduct pari-mutuel wagering activities at
236 another permitholder's greyhound racing facility pursuant to s.
237 550.475.

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

240 (3) Notwithstanding any other provision of law, no more
241 than 40 pari-mutuel wagering operating licenses may be issued
242 each year. If more than 40 permitholders are eligible for
243 licensure, the division shall issue operating licenses first to
244 those permitholders who conducted pari-mutuel wagering under an
245 operating license in the previous year.

246 (4)~~(3)~~ The division shall issue each license no later than
247 March 15. Each permitholder shall operate all performances at
248 the date and time specified on its license. The division shall
249 have the authority to approve minor changes in racing dates
250 after a license has been issued. The division may approve
251 changes in racing dates after a license has been issued when
252 there is no objection from any operating permitholder located
253 within 50 miles of the permitholder requesting the changes in
254 operating dates. In the event of an objection, the division
255 shall approve or disapprove the change in operating dates based
256 upon the impact on operating permitholders located within 50
257 miles of the permitholder requesting the change in operating
258 dates. In making the determination to change racing dates, the
259 division shall take into consideration the impact of such
260 changes on state revenues. Notwithstanding any other provision

261 of law, and for the 2015-2016 fiscal year only, the division may
 262 approve any changes in racing dates for greyhound permitholders
 263 if the request for such changes is received before August 31,
 264 2015.

265 (7)-(6) A summer jai alai permitholder may apply for an
 266 operating license to operate a jai alai fronton only during the
 267 summer season beginning May 1 and ending November 30 of each
 268 year on such dates as may be selected by the permitholder. Such
 269 permitholder is subject to the same taxes and rules and
 270 provisions of this chapter which apply to the operation of
 271 winter jai alai frontons. A summer jai alai permitholder is not
 272 eligible for licensure to conduct a cardroom or a slot machine
 273 facility. A summer jai alai permitholder and a winter jai alai
 274 permitholder may not operate on the same days or in competition
 275 with each other. This subsection does not prevent a summer jai
 276 alai licensee from leasing the facilities of a winter jai alai
 277 licensee for the operation of a summer meet. Any permit which
 278 was converted from a jai alai permit to a greyhound permit may
 279 be converted to a jai alai permit at any time if the
 280 permitholder never conducted greyhound racing or if the
 281 permitholder has not conducted greyhound racing for a period of
 282 12 consecutive months.

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

285 550.0251 The powers and duties of the Division of Pari-
 286 mutuel Wagering of the Department of Business and Professional

287 Regulation.—The division shall administer this chapter and
288 regulate the pari-mutuel industry under this chapter and the
289 rules adopted pursuant thereto, and:

290 (1) The division shall make an annual report to the
291 Governor, the President of the Senate, and the Speaker of the
292 House of Representatives. The report shall include, at a
293 minimum:

294 (a) Recent events in the gaming industry, including
295 pending litigation, pending facility license applications, and
296 new and pending rules.

297 (b) Actions of the department relative to the
298 implementation and administration of this chapter.

299 (c) The state revenues and expenses associated with each
300 form of authorized gaming. Revenues and expenses associated with
301 pari-mutuel wagering shall be further delineated by the class of
302 license.

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

305 (e) A summary of disciplinary actions taken by the
306 department.

307 (f) Any suggestions to more effectively achieve ~~showing~~
308 ~~its own actions, receipts derived under the provisions of this~~
309 ~~chapter, the practical effects of the application of this~~
310 ~~chapter, and any suggestions it may approve for the more~~
311 ~~effectual accomplishments of the purposes of this chapter.~~

312 Section 4. Paragraph (b) of subsection (9), paragraph (a)

313 of subsection (11), and subsections (13) and (14) of section
 314 550.054, Florida Statutes, are amended, and paragraphs (c)
 315 through (g) are added to subsection (9) of that section, to
 316 read:

317 550.054 Application for permit to conduct pari-mutuel
 318 wagering.—

319 (9)

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

331 (c) The division shall revoke the permit of any
 332 permitholder that has not obtained an operating license in
 333 accordance with s. 550.01215 for a period of more than 24
 334 consecutive months after June 30, 2012. The division shall
 335 revoke the permit upon adequate notice to the permitholder
 336 unless such failure was the direct result of fire, strike, war,
 337 or other disaster or event beyond the permitholder's control.
 338 Financial hardship to the permitholder does not, in and of

339 itself, constitute just cause for failure to operate.

340 (d) The division shall revoke the permit of any
341 permitholder that fails to make payments pursuant to s.
342 550.0951(5) for more than 24 consecutive months unless such
343 failure to pay tax on handle was the direct result of fire,
344 strike, war, or other disaster or event beyond the
345 permitholder's control. Financial hardship to the permitholder
346 does not, in and of itself, constitute just cause for failure to
347 pay tax on handle.

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

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

353 (g) A permitholder may apply to the division to place the
354 permit into inactive status for a period of 12 months pursuant
355 to the rules adopted under this chapter. The division, upon good
356 cause shown by the permitholder, may renew inactive status for
357 up to 12 months. A permit may not be in inactive status for a
358 period of more than 24 consecutive months. Holders of permits in
359 inactive status are not eligible for licensure for pari-mutuel
360 wagering, slot machines, or cardrooms.

361 (11) (a) A permit granted under this chapter may not be
362 transferred or assigned except upon written approval by the
363 division pursuant to s. 550.1815, ~~except that the holder of any~~
364 ~~permit that has been converted to a jai alai permit may lease or~~

365 ~~build anywhere within the county in which its permit is located.~~

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

372 ~~thoroughbred horse racetrack except upon proof in such form as~~
373 ~~the division may prescribe that a referendum election has been~~
374 ~~held:~~

375 1. ~~If the proposed new location is within the same county~~
376 ~~as the already licensed location, in the county where the~~
377 ~~licensee desires to conduct the race meeting and that a majority~~
378 ~~of the electors voting on that question in such election voted~~
379 ~~in favor of the transfer of such license.~~

380 2. ~~If the proposed new location is not within the same~~
381 ~~county as the already licensed location, in the county where the~~
382 ~~licensee desires to conduct the race meeting and in the county~~
383 ~~where the licensee is already licensed to conduct the race~~
384 ~~meeting and that a majority of the electors voting on that~~
385 ~~question in each such election voted in favor of the transfer of~~
386 ~~such license.~~

387 ~~(b)~~ Each referendum held under the provisions of this
388 subsection shall be held in accordance with the electoral
389 procedures for ratification of permits, as provided in s.
390 550.0651. The expense of each such referendum shall be borne by

391 ~~the licensee requesting the transfer.~~

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

396 (b) The division, upon application from a holder of a
397 permit converted pursuant to s. 550.054(14), Florida Statutes
398 2014, as created by s. 6 of chapter 2009-170, Laws of Florida,
399 may approve the relocation of such permit to another location
400 within a 30-mile radius of the location fixed in the permit,
401 provided the application is received by July 31, 2015, the move
402 does not cross the county boundary, and the new location is
403 approved under the zoning regulations of the county or
404 municipality in which the permit is located.

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

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

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

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

416 ~~(b) The division, upon application from the holder of a~~

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

439 Section 5. Section 550.0555, Florida Statutes, is
440 repealed.

441 Section 6. Section 550.0745, Florida Statutes, is
442 repealed.

443 Section 7. Section 550.0951, Florida Statutes, is amended
 444 to read:

445 550.0951 Payment of daily license fee and taxes;
 446 penalties.—

447 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the
 448 business of conducting race meetings or jai alai games under
 449 this chapter, hereinafter referred to as the "permitholder,"
 450 "licensee," or "permittee," shall pay to the division, for the
 451 use of the division, a daily license fee on each live or
 452 simulcast pari-mutuel event of \$100 for each horserace and \$80
 453 for each greyhound race ~~dograce~~ and \$40 for each jai alai game
 454 conducted at a racetrack or fronton licensed under this chapter.
 455 ~~A In addition to the tax exemption specified in s. 550.09514(1)~~
 456 ~~of \$360,000 or \$500,000 per greyhound permitholder per state~~
 457 ~~fiscal year, each greyhound permitholder shall receive in the~~
 458 ~~current state fiscal year a tax credit equal to the number of~~
 459 ~~live greyhound races conducted in the previous state fiscal year~~
 460 ~~times the daily license fee specified for each dograce in this~~
 461 ~~subsection applicable for the previous state fiscal year. This~~
 462 ~~tax credit and the exemption in s. 550.09514(1) shall be~~
 463 ~~applicable to any tax imposed by this chapter or the daily~~
 464 ~~license fees imposed by this chapter except during any charity~~
 465 ~~or scholarship performances conducted pursuant to s. 550.0351.~~
 466 Each permitholder may not be required to ~~shall~~ pay daily license
 467 fees in excess of ~~not to exceed~~ \$500 per day on any simulcast
 468 races or games on which such permitholder accepts wagers

469 regardless of the number of out-of-state events taken or the
470 number of out-of-state locations from which such events are
471 taken. This license fee shall be deposited with the Chief
472 Financial Officer to the credit of the Pari-mutuel Wagering
473 Trust Fund.

474 ~~(b) Each permitholder that cannot utilize the full amount~~
475 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~
476 ~~550.09514(1) or the daily license fee credit provided in this~~
477 ~~section may, after notifying the division in writing, elect once~~
478 ~~per state fiscal year on a form provided by the division to~~
479 ~~transfer such exemption or credit or any portion thereof to any~~
480 ~~greyhound permitholder which acts as a host track to such~~
481 ~~permitholder for the purpose of intertrack wagering. Once an~~
482 ~~election to transfer such exemption or credit is filed with the~~
483 ~~division, it shall not be rescinded. The division shall~~
484 ~~disapprove the transfer when the amount of the exemption or~~
485 ~~credit or portion thereof is unavailable to the transferring~~
486 ~~permitholder or when the permitholder who is entitled to~~
487 ~~transfer the exemption or credit or who is entitled to receive~~
488 ~~the exemption or credit owes taxes to the state pursuant to a~~
489 ~~deficiency letter or administrative complaint issued by the~~
490 ~~division. Upon approval of the transfer by the division, the~~
491 ~~transferred tax exemption or credit shall be effective for the~~
492 ~~first performance of the next payment period as specified in~~
493 ~~subsection (5). The exemption or credit transferred to such host~~
494 ~~track may be applied by such host track against any taxes~~

495 ~~imposed by this chapter or daily license fees imposed by this~~
 496 ~~chapter. The greyhound permitholder host track to which such~~
 497 ~~exemption or credit is transferred shall reimburse such~~
 498 ~~permitholder the exact monetary value of such transferred~~
 499 ~~exemption or credit as actually applied against the taxes and~~
 500 ~~daily license fees of the host track. The division shall ensure~~
 501 ~~that all transfers of exemption or credit are made in accordance~~
 502 ~~with this subsection and shall have the authority to adopt rules~~
 503 ~~to ensure the implementation of this section.~~

504 (2) ADMISSION TAX.—

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

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

515 (c) A permitholder may issue tax-free passes to its
 516 officers, officials, and employees or other persons actually
 517 engaged in working at the racetrack, including accredited press
 518 representatives such as reporters and editors, and may also
 519 issue tax-free passes to other permitholders for the use of
 520 their officers and officials. The permitholder shall file with

521 the division a list of all persons to whom tax-free passes are
522 issued under this paragraph.

523 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on
524 contributions to pari-mutuel pools, the aggregate of which is
525 hereinafter referred to as "handle," on races or games conducted
526 by the permitholder. The tax is imposed daily and is based on
527 the total contributions to all pari-mutuel pools conducted
528 during the daily performance. If a permitholder conducts more
529 than one performance daily, the tax is imposed on each
530 performance separately.

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

533 (b)1. The tax on handle for greyhound racing ~~dogracing~~ is
534 1.28 ~~5.5~~ percent of the handle, ~~except that for live charity~~
535 ~~performances held pursuant to s. 550.0351, and for intertrack~~
536 ~~wagering on such charity performances at a guest greyhound track~~
537 ~~within the market area of the host, the tax is 7.6 percent of~~
538 ~~the handle.~~

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

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

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

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

546 (III) If the host track is a dog track ~~harness track~~, 1.28

547 ~~5.5 percent of the handle to be remitted by the guest track. if~~
548 ~~the host track is a dog track, and~~

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

551 b. The tax on handle for intertrack wagering is 0.5
552 percent if the host track and the guest track are thoroughbred
553 racing permitholders or if the guest track is located outside
554 the market area of a nongreyhound ~~the~~ host track and within the
555 market area of a thoroughbred racing permitholder currently
556 conducting a live race meet.

557 c. The tax on handle for intertrack wagering on
558 rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent
559 of the handle and 1.5 percent of the handle for intertrack
560 wagering on rebroadcasts of simulcast harness horseraces.

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

563 ~~3.2.~~ The tax on handle for intertrack wagers accepted by
564 ~~any dog track located in an area of the state in which there are~~
565 ~~only three permitholders, all of which are greyhound~~
566 ~~permitholders, located in three contiguous counties,~~ from any
567 ~~greyhound permitholder also located within such area or any dog~~
568 ~~track or jai alai fronton located as specified in s. 550.615(7)~~
569 ~~550.615(6) or (9),~~ on races or games received from any jai alai
570 ~~the same class of permitholder located within the same market~~
571 ~~area is 3.9 percent if the host facility is a greyhound~~
572 ~~permitholder and, if the host facility is a jai alai~~

573 ~~permitholder, the rate shall be~~ 6.1 percent except that it shall
574 be 2.3 percent on handle at such time as the total tax on
575 intertrack handle paid to the division by the permitholder
576 during the current state fiscal year exceeds the total tax on
577 intertrack handle paid to the division by the permitholder
578 during the 1992-1993 state fiscal year.

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

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

588 (5) PAYMENT AND DISPOSITION OF FEES AND TAXES.—Payments
589 imposed by this section shall be paid to the division. The
590 division shall deposit these sums with the Chief Financial
591 Officer, to the credit of the Pari-mutuel Wagering Trust Fund,
592 hereby established. The permitholder shall remit to the division
593 payment for the daily license fee, the admission tax, the tax on
594 handle, and the breaks tax. Such payments shall be remitted by 3
595 p.m. Wednesday of each week for taxes imposed and collected for
596 the preceding week ending on Sunday. Beginning on July 1, 2012,
597 such payments shall be remitted by 3 p.m. on the 5th day of each
598 calendar month for taxes imposed and collected for the preceding

599 | calendar month. If the 5th day of the calendar month falls on a
600 | weekend, payments shall be remitted by 3 p.m. the first Monday
601 | following the weekend. Permitholders shall file a report under
602 | oath by the 5th day of each calendar month for all taxes
603 | remitted during the preceding calendar month. Such payments
604 | shall be accompanied by a report under oath showing the total of
605 | all admissions, the pari-mutuel wagering activities for the
606 | preceding calendar month, and such other information as may be
607 | prescribed by the division.

608 | (6) PENALTIES.—

609 | (a) The failure of any permitholder to make payments as
610 | prescribed in subsection (5) is a violation of this section, and
611 | the permitholder may be subjected by the division to a civil
612 | penalty of up to \$1,000 for each day the tax payment is not
613 | remitted. All penalties imposed and collected shall be deposited
614 | in the General Revenue Fund. If a permitholder fails to pay
615 | penalties imposed by order of the division under this
616 | subsection, the division may suspend or revoke the license of
617 | the permitholder, cancel the permit of the permitholder, or deny
618 | issuance of any further license or permit to the permitholder.

619 | (b) In addition to the civil penalty prescribed in
620 | paragraph (a), any willful or wanton failure by any permitholder
621 | to make payments of the daily license fee, admission tax, tax on
622 | handle, or breaks tax constitutes sufficient grounds for the
623 | division to suspend or revoke the license of the permitholder,
624 | to cancel the permit of the permitholder, or to deny issuance of

625 any further license or permit to the permitholder.

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

628 550.09512 Harness racing horse taxes; abandoned interest
 629 in a permit for nonpayment of taxes.—

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

642 ~~(b) In order to maximize the tax revenues to the state,~~
 643 ~~the division shall reissue an escheated harness horse permit to~~
 644 ~~a qualified applicant pursuant to the provisions of this chapter~~
 645 ~~as for the issuance of an initial permit. However, the~~
 646 ~~provisions of this chapter relating to referendum requirements~~
 647 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
 648 ~~escheated harness horse permit. As specified in the application~~
 649 ~~and upon approval by the division of an application for the~~
 650 ~~permit, the new permitholder shall be authorized to operate a~~

651 ~~harness horse facility anywhere in the same county in which the~~
652 ~~escheated permit was authorized to be operated, notwithstanding~~
653 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

654 Section 9. Section 550.09514, Florida Statutes, is amended
655 to read:

656 550.09514 Greyhound racing ~~dogracing~~ taxes; purse
657 requirements.-

658 ~~(1) Wagering on greyhound racing is subject to a tax on~~
659 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~
660 ~~However, each permitholder shall pay no tax on handle until such~~
661 ~~time as this subsection has resulted in a tax savings per state~~
662 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~
663 ~~the tax as specified in s. 550.0951(3) on all handle for the~~
664 ~~remainder of the permitholder's current race meet. For the three~~
665 ~~permitholders that conducted a full schedule of live racing in~~
666 ~~1995, and are closest to another state that authorizes greyhound~~
667 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~
668 ~~year shall be \$500,000. The provisions of this subsection~~
669 ~~relating to tax exemptions shall not apply to any charity or~~
670 ~~scholarship performances conducted pursuant to s. 550.0351.~~

671 (1)~~(2)~~(a) The division shall determine for each greyhound
672 racing permitholder the annual purse percentage rate of live
673 handle for the state fiscal year 1993-1994 by dividing total
674 purses paid on live handle by the permitholder, exclusive of
675 payments made from outside sources, during the 1993-1994 state
676 fiscal year by the permitholder's live handle for the 1993-1994

677 | state fiscal year. A greyhound ~~Each~~ permitholder conducting live
678 | racing during a fiscal year shall pay as purses for such live
679 | races conducted during its current race meet a percentage of its
680 | live handle not less than the percentage determined under this
681 | paragraph, exclusive of payments made by outside sources, for
682 | its 1993-1994 state fiscal year.

683 | (b) Except as otherwise set forth herein, in addition to
684 | the minimum purse percentage required by paragraph (a), each
685 | greyhound racing permitholder conducting live racing during a
686 | fiscal year shall pay as purses an annual amount of \$60 for each
687 | live race conducted ~~equal to 75 percent of the daily license~~
688 | ~~fees paid by the greyhound each permitholder in for the~~
689 | ~~preceding 1994-1995 fiscal year. This purse supplement shall be~~
690 | ~~disbursed weekly during the permitholder's race meet in an~~
691 | ~~amount determined by dividing the annual purse supplement by the~~
692 | ~~number of performances approved for the permitholder pursuant to~~
693 | ~~its annual license and multiplying that amount by the number of~~
694 | ~~performances conducted each week. For the greyhound~~
695 | ~~permitholders in the county where there are two greyhound~~
696 | ~~permitholders located as specified in s. 550.615(6), such~~
697 | ~~permitholders shall pay in the aggregate an amount equal to 75~~
698 | ~~percent of the daily license fees paid by such permitholders for~~
699 | ~~the 1994-1995 fiscal year. These permitholders shall be jointly~~
700 | ~~and severally liable for such purse payments. The additional~~
701 | ~~purses provided by this paragraph must be used exclusively for~~
702 | ~~purses other than stakes~~ and shall be disbursed weekly during

703 the permitholder's race meet. The division shall conduct audits
704 necessary to ensure compliance with this section.

705 (c)1. Each greyhound racing permitholder, when conducting
706 at least three live performances during any week, shall pay
707 purses in that week on wagers it accepts as a guest track on
708 intertrack and simulcast greyhound races at the same rate as it
709 pays on live races. Each greyhound racing permitholder, when
710 conducting at least three live performances during any week,
711 shall pay purses in that week, at the same rate as it pays on
712 live races, on wagers accepted on greyhound races at a guest
713 track which is not conducting live racing and is located within
714 the same market area as the greyhound racing permitholder
715 conducting at least three live performances during any week.

716 2. Each host greyhound racing permitholder shall pay
717 purses on its simulcast and intertrack broadcasts of greyhound
718 races to guest facilities that are located outside its market
719 area in an amount equal to one quarter of an amount determined
720 by subtracting the transmission costs of sending the simulcast
721 or intertrack broadcasts from an amount determined by adding the
722 fees received for greyhound simulcast races plus 3 percent of
723 the greyhound intertrack handle at guest facilities that are
724 located outside the market area of the host and that paid
725 contractual fees to the host for such broadcasts of greyhound
726 races.

727 (d) The division shall require sufficient documentation
728 from each greyhound racing permitholder regarding purses paid on

729 live racing to assure that the annual purse percentage rates
 730 paid by each greyhound racing permitholder conducting ~~on the~~
 731 live races are not reduced below those paid during the 1993-1994
 732 state fiscal year. The division shall require sufficient
 733 documentation from each greyhound racing permitholder to assure
 734 that the purses paid by each permitholder on the greyhound
 735 intertrack and simulcast broadcasts are in compliance with the
 736 requirements of paragraph (c).

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

755 shall be retained by the host track, one-third of which amount
756 shall be paid as purses at the host track. These purse funds
757 shall be disbursed in the week received if the permitholder
758 conducts at least one live performance during that week. If the
759 permitholder does not conduct at least one live performance
760 during the week in which the purse funds are received, the purse
761 funds shall be disbursed weekly during the permitholder's next
762 race meet in an amount determined by dividing the purse amount
763 by the number of performances approved for the permitholder
764 pursuant to its annual license, and multiplying that amount by
765 the number of performances conducted each week. The division
766 shall conduct audits necessary to ensure compliance with this
767 paragraph.

768 (f) Each greyhound racing permitholder conducting live
769 racing shall, during the permitholder's race meet, supply kennel
770 operators and the Division of Pari-Mutuel Wagering with a weekly
771 report showing purses paid on live greyhound races and all
772 greyhound intertrack and simulcast broadcasts, including both as
773 a guest and a host together with the handle or commission
774 calculations on which such purses were paid and the transmission
775 costs of sending the simulcast or intertrack broadcasts, so that
776 the kennel operators may determine statutory and contractual
777 compliance.

778 (g) Each greyhound racing permitholder conducting live
779 racing shall make direct payment of purses to the greyhound
780 owners who have filed with such permitholder appropriate federal

781 taxpayer identification information based on the percentage
 782 amount agreed upon between the kennel operator and the greyhound
 783 owner.

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

796 ~~(2)(3)~~ For the purpose of this section, the term "live
 797 handle" means the handle from wagers placed at the
 798 permitholder's establishment on the live greyhound races
 799 conducted at the permitholder's establishment.

800 Section 10. Paragraph (b) of subsection (3) of section
 801 550.09515, Florida Statutes, is amended to read:

802 550.09515 Thoroughbred racing ~~horse~~ taxes; abandoned
 803 interest in a permit for nonpayment of taxes.—

804 (3)~~(a)~~ The division shall revoke the permit of a
 805 thoroughbred horse permitholder that ~~who~~ does not pay tax on
 806 handle for live thoroughbred horse performances for a full

807 | schedule of live races for more than 24 consecutive months
808 | ~~during any 2 consecutive state fiscal years shall be void and~~
809 | ~~shall escheat to and become the property of the state unless~~
810 | ~~such failure to operate and pay tax on handle was the direct~~
811 | ~~result of fire, strike, war, or other disaster or event beyond~~
812 | ~~the ability of the permitholder to control. Financial hardship~~
813 | ~~to the permitholder does shall not, in and of itself, constitute~~
814 | ~~just cause for failure to operate and pay tax on handle. A~~
815 | ~~permit revoked under this subsection is void and may not be~~
816 | ~~reissued.~~

817 | ~~(b) In order to maximize the tax revenues to the state,~~
818 | ~~the division shall reissue an escheated thoroughbred horse~~
819 | ~~permit to a qualified applicant pursuant to the provisions of~~
820 | ~~this chapter as for the issuance of an initial permit. However,~~
821 | ~~the provisions of this chapter relating to referendum~~
822 | ~~requirements for a pari-mutuel permit shall not apply to the~~
823 | ~~reissuance of an escheated thoroughbred horse permit. As~~
824 | ~~specified in the application and upon approval by the division~~
825 | ~~of an application for the permit, the new permitholder shall be~~
826 | ~~authorized to operate a thoroughbred horse facility anywhere in~~
827 | ~~the same county in which the escheated permit was authorized to~~
828 | ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
829 | ~~relating to mileage limitations.~~

830 | Section 11. Subsection (2) of section 550.1625, Florida
831 | Statutes, is amended to read:

832 | 550.1625 Greyhound racing ~~degracing~~; taxes.—

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

838 Section 12. Section 550.1647, Florida Statutes, is
 839 repealed.

840 Section 13. Section 550.1648, Florida Statutes, is amended
 841 to read:

842 550.1648 Greyhound adoptions.—

843 ~~(1) A greyhound racing~~ Each dogracing permit holder
 844 conducting live racing at ~~operating~~ a greyhound racing ~~dogracing~~
 845 facility in this state shall provide for a greyhound adoption
 846 booth to be located at the facility.

847 (1) (a) The greyhound adoption booth must be operated on
 848 weekends by personnel or volunteers from a bona fide
 849 organization that promotes or encourages the adoption of
 850 greyhounds ~~pursuant to s. 550.1647.~~ Such bona fide organization,
 851 as a condition of adoption, must provide sterilization of
 852 greyhounds by a licensed veterinarian before relinquishing
 853 custody of the greyhound to the adopter. The fee for
 854 sterilization may be included in the cost of adoption. As used
 855 in this section, the term "weekend" includes the hours during
 856 which live greyhound racing is conducted on Friday, Saturday, or
 857 Sunday, and the term "bona fide organization that promotes or
 858 encourages the adoption of greyhounds" means an organization

859 that provides evidence of compliance with chapter 496 and
860 possesses a valid exemption from federal taxation issued by the
861 Internal Revenue Service. Information pamphlets and application
862 forms shall be provided to the public upon request.

863 (b) ~~In addition,~~ The kennel operator or owner shall notify
864 the permitholder that a greyhound is available for adoption and
865 the permitholder shall provide information concerning the
866 adoption of a greyhound in each race program and shall post
867 adoption information at conspicuous locations throughout the
868 greyhound racing ~~dog racing~~ facility. Any greyhound that is
869 participating in a race and that will be available for future
870 adoption must be noted in the race program. The permitholder
871 shall allow greyhounds to be walked through the track facility
872 to publicize the greyhound adoption program.

873 (2) In addition to the charity days authorized under s.
874 550.0351, a greyhound racing permitholder may fund the greyhound
875 adoption program by holding a charity racing day designated as
876 "Greyhound Adopt-A-Pet Day." All profits derived from the
877 operation of the charity day must be placed into a fund used to
878 support activities at the racing facility which promote the
879 adoption of greyhounds. The division may adopt rules for
880 administering the fund. Proceeds from the charity day authorized
881 in this subsection may not be used as a source of funds for the
882 purposes set forth in s. 550.1647.

883 (3) (a) Upon a violation of this section by a permitholder
884 or licensee, the division may impose a penalty as provided in s.

885 550.0251(10) and require the permitholder to take corrective
886 action.

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

890 Section 14. Section 550.2416, Florida Statutes, is created
891 to read:

892 550.2416 Reporting of racing greyhound injuries.—

893 (1) An injury to a racing greyhound which occurs while the
894 greyhound is located in this state must be reported on a form
895 adopted by the division within 7 days after the date on which
896 the injury occurred or is believed to have occurred.

897 (2) The form shall be completed and signed under oath or
898 affirmation under penalty of perjury by the:

899 (a) Racetrack veterinarian, if the injury occurred at the
900 racetrack facility; or

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

904 (3) The form must include all of the following:

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

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

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

911 (d) The specific type and bodily location of the injury,
912 the cause of the injury, and the estimated recovery time from
913 the injury.

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

915 1. The racetrack where the injury occurred;

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

918 3. The weather conditions, time, and track conditions when
919 the injury occurred.

920 (f) If the injury occurred when the greyhound was not
921 racing:

922 1. The location where the injury occurred; and

923 2. The circumstances surrounding the injury.

924 (g) Other information that the division determines is
925 necessary to identify injuries to racing greyhounds in this
926 state.

927 (4) An injury form created pursuant to this section shall
928 be maintained as a public record by the division for at least 7
929 years after the date it was received.

930 (5) A licensee of the department who knowingly makes a
931 false statement concerning an injury or fails to report an
932 injury is subject to disciplinary action under this chapter or
933 chapters 455 and 474.

934 (6) This section does not apply to injuries to a service
935 animal, personal pet, or greyhound that has been adopted as a
936 pet.

937 (7) The division shall adopt rules to implement this
 938 section.

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

941 550.26165 Breeders' awards.—

942 (1) The purpose of this section is to encourage the
 943 agricultural activity of breeding and training racehorses in
 944 this state. Moneys dedicated in this chapter for use as
 945 breeders' awards and stallion awards are to be used for awards
 946 to breeders of registered Florida-bred horses winning horseraces
 947 and for similar awards to the owners of stallions who sired
 948 Florida-bred horses winning stakes races, if the stallions are
 949 registered as Florida stallions standing in this state. Such
 950 awards shall be given at a uniform rate to all winners of the
 951 awards, shall not be greater than 20 percent of the announced
 952 gross purse, and shall not be less than 15 percent of the
 953 announced gross purse if funds are available. In addition, no
 954 less than 17 percent nor more than 40 percent, as determined by
 955 the Florida Thoroughbred Breeders' Association, of the moneys
 956 dedicated in this chapter for use as breeders' awards and
 957 stallion awards for thoroughbreds shall be returned pro rata to
 958 the permitholders that generated the moneys for special racing
 959 awards to be distributed by the permitholders to owners of
 960 thoroughbred horses participating in prescribed thoroughbred
 961 stakes races, nonstakes races, or both, all in accordance with a
 962 written agreement establishing the rate, procedure, and

963 eligibility requirements for such awards entered into by the
 964 permitholder, the Florida Thoroughbred Breeders' Association,
 965 and the Florida Horsemen's Benevolent and Protective
 966 Association, Inc., except that the plan for the distribution by
 967 any permitholder located in the area described in s. 550.615(7)
 968 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the
 969 Florida Thoroughbred Breeders' Association, and the association
 970 representing a majority of the thoroughbred racehorse owners and
 971 trainers at that location. Awards for thoroughbred races are to
 972 be paid through the Florida Thoroughbred Breeders' Association,
 973 and awards for standardbred races are to be paid through the
 974 Florida Standardbred Breeders and Owners Association. Among
 975 other sources specified in this chapter, moneys for thoroughbred
 976 breeders' awards will come from the 0.955 percent of handle for
 977 thoroughbred races conducted, received, broadcast, or simulcast
 978 under this chapter as provided in s. 550.2625(3). The moneys for
 979 quarter horse and harness breeders' awards will come from the
 980 breaks and uncashed tickets on live quarter horse and harness
 981 racing performances and 1 percent of handle on intertrack
 982 wagering. The funds for these breeders' awards shall be paid to
 983 the respective breeders' associations by the permitholders
 984 conducting the races.

985 Section 16. Section 550.3341, Florida Statutes, is created
 986 to read:

987 550.3341 Nonwagering quarter horse racing partnerships.--
 988 In recognition of the economic and cultural importance of

989 nonwagering equine competitions to this state's growing rural
990 communities, the importance of agricultural arenas as a key
991 focal point for nonwagering equine competitions, and to
992 recognize the differences between nonwagering equine
993 competitions and traditional quarter horse racing, if a
994 qualifying application is received under this section, the
995 division shall annually approve one partnership between a
996 quarter horse racing permitholder and a licensed nonwagering
997 permitholder under s. 550.505 in order to promote the continued
998 development of nonwagering equine competitions in growing rural
999 communities.

1000 (1) As part of its license application under s. 550.01215,
1001 a quarter horse racing permitholder may apply to fully or
1002 partially substitute live nonwagering equine competitions for
1003 its live pari-mutuel quarter horse races, pursuant to a written
1004 agreement with a licensed nonwagering permitholder under s.
1005 550.505, provided that:

1006 (a) The quarter horse racing permitholder's facility is
1007 located in a county with a population of between 30,000 and
1008 75,000 according to the most recent decennial census.

1009 (b) The quarter horse racing permitholder's facility is
1010 located in a community that is, or was previously, included
1011 within a rural area of opportunity as designated by the Governor
1012 pursuant to s. 288.0656.

1013 (c) The live nonwagering equine competitions are conducted
1014 by the licensed nonwagering permitholder, pursuant to lease

1015 agreements, at the quarter horse racing permitholder's pari-
1016 mutuel facility or at a publicly owned agricultural arena
1017 located adjacent to the quarter horse racing permitholder's
1018 pari-mutuel facility.

1019 (d) The nonwagering permit and license are held by the
1020 horsemen's association representing the majority of the quarter
1021 horse owners and trainers at the quarter horse racing
1022 permitholder's pari-mutuel facility, and the horsemen's
1023 association has been issued a nonwagering license for the
1024 previous two calendar years.

1025 (e) The quarter horse racing permitholder has conducted a
1026 full schedule of live races as defined in s. 550.002(11), either
1027 with or without the use of qualifying nonwagering equine
1028 competitions described in this section, for the previous two
1029 state fiscal years.

1030 (2) The live nonwagering equine competitions shall consist
1031 of barrel racing, pole bending, or other rodeo or gymkhana-style
1032 competitions.

1033 (3) Twenty live equine competitions, conducted pursuant to
1034 an agreement approved under this section, shall be considered a
1035 full schedule of live racing in satisfaction of the requirements
1036 of ss. 550.002(11) and 550.334(8).

1037 (4) Payment of purses and breeders awards from quarter
1038 horse racing permitholders who qualify to conduct live
1039 nonwagering equine competitions in accordance with this section
1040 shall be governed by a binding written agreement between the

1041 permitholder and the association representing a majority of the
 1042 horse owners and trainers at the permitholder's pari-mutuel
 1043 facility.

1044 (5) If more than one quarter horse racing permitholder
 1045 applies for division approval of a partnership with a licensed
 1046 non-wagering permitholder under this section, the division must
 1047 approve the partnership it determines will best promote the
 1048 continued development of nonwagering equine competitions in this
 1049 state and will make the most significant contribution to the
 1050 rural communities in which the competitions take place.

1051 (6) Quarter horse racing permitholders who qualify to
 1052 conduct live nonwagering equine competitions in accordance with
 1053 this section are entitled to amend licenses for the 2015-2016
 1054 fiscal year through August 31, 2015.

1055 (7) The department may adopt rules as necessary to
 1056 administer this section.

1057 Section 17. Subsections (2) and (3) of section 550.3345,
 1058 Florida Statutes, are amended to read:

1059 550.3345 ~~Conversion of quarter horse permit to a Limited~~
 1060 ~~thoroughbred racing permit.-~~

1061 (2) A limited thoroughbred racing permit previously
 1062 converted from ~~Notwithstanding any other provision of law, the~~
 1063 ~~holder of a quarter horse racing permit pursuant to chapter~~
 1064 2010-29, Laws of Florida, issued under s. 550.334 may only be
 1065 held by, ~~within 1 year after the effective date of this section,~~
 1066 ~~apply to the division for a transfer of the quarter horse racing~~

1067 ~~permit to~~ a not-for-profit corporation formed under state law to
1068 serve the purposes of the state as provided in subsection (1).
1069 The board of directors of the not-for-profit corporation must be
1070 comprised of 11 members, 4 of whom shall be designated by the
1071 applicant, 4 of whom shall be designated by the Florida
1072 Thoroughbred Breeders' Association, and 3 of whom shall be
1073 designated by the other 8 directors, with at least 1 of these 3
1074 members being an authorized representative of another
1075 thoroughbred permitholder in this state. A limited thoroughbred
1076 racing ~~The not for profit corporation shall submit an~~
1077 ~~application to the division for review and approval of the~~
1078 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1079 ~~transfer by the division, and notwithstanding any other~~
1080 ~~provision of law to the contrary, the not-for-profit corporation~~
1081 ~~may, within 1 year after its receipt of the permit, request that~~
1082 ~~the division convert the quarter horse racing permit to a permit~~
1083 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1084 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1085 ~~racing permit nor its conversion to a limited thoroughbred~~
1086 ~~permit shall be subject to the mileage limitation or the~~
1087 ~~ratification election as set forth under s. 550.054(2) or s.~~
1088 ~~550.0651. Upon receipt of the request for such conversion, the~~
1089 ~~division shall timely issue a converted permit. The converted~~
1090 ~~permit and the not-for-profit corporation are shall be subject~~
1091 ~~to the following requirements:~~
1092 (a) All net revenues derived by the not-for-profit

1093 corporation under the thoroughbred horse racing permit, after
1094 the funding of operating expenses and capital improvements,
1095 shall be dedicated to the enhancement of thoroughbred purses and
1096 breeders', stallion, and special racing awards under this
1097 chapter; the general promotion of the thoroughbred horse
1098 breeding industry; and the care in this state of thoroughbred
1099 horses retired from racing.

1100 (b) From December 1 through April 30, no live thoroughbred
1101 racing may be conducted under the permit on any day during which
1102 another thoroughbred permitholder is conducting live
1103 thoroughbred racing within 125 air miles of the not-for-profit
1104 corporation's pari-mutuel facility unless the other thoroughbred
1105 permitholder gives its written consent.

1106 (c) After ~~the conversion of the quarter horse racing~~
1107 ~~permit and~~ the issuance of its initial license to conduct pari-
1108 mutuel wagering meets of thoroughbred racing, the not-for-profit
1109 corporation shall annually apply to the division for a license
1110 pursuant to s. 550.5251.

1111 (d) Racing under the permit may take place only at the
1112 location for which the original quarter horse racing permit was
1113 issued, which may be leased by the not-for-profit corporation
1114 for that purpose; ~~however, the not-for-profit corporation may,~~
1115 ~~without the conduct of any ratification election pursuant to s.~~
1116 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
1117 ~~another location in the same county provided that such~~
1118 ~~relocation is approved under the zoning and land use regulations~~

1119 ~~of the applicable county or municipality.~~

1120 (e) A limited thoroughbred racing ~~No permit converted~~
1121 ~~under this section~~ is not eligible for transfer to another
1122 person or entity.

1123 (3) Unless otherwise provided in this section, ~~after~~
1124 ~~conversion,~~ the permit and the not-for-profit corporation shall
1125 be treated under the laws of this state as a thoroughbred racing
1126 permit and as a thoroughbred racing permitholder, respectively,
1127 with the exception of ss. 550.054(9)(c) and (d) and s.
1128 550.09515(3).

1129 Section 18. Paragraph (a) of subsection (6) of section
1130 550.3551, Florida Statutes, is amended to read:

1131 550.3551 Transmission of racing and jai alai information;
1132 commingling of pari-mutuel pools.-

1133 (6) (a) ~~A maximum of 20 percent of the total number of~~
1134 ~~races on which wagers are accepted by a greyhound permitholder~~
1135 ~~not located as specified in s. 550.615(6) may be received from~~
1136 ~~locations outside this state.~~ A horseracing or a jai alai
1137 permitholder may not conduct fewer than eight live races or
1138 games on any authorized race day except as provided in this
1139 subsection. A thoroughbred racing permitholder may not conduct
1140 fewer than eight live races on any race day without the written
1141 approval of the Florida Thoroughbred Breeders' Association and
1142 the Florida Horsemen's Benevolent and Protective Association,
1143 Inc., unless it is determined by the department that another
1144 entity represents a majority of the thoroughbred racehorse

1145 owners and trainers in the state. A harness permitholder may
 1146 conduct fewer than eight live races on any authorized race day,
 1147 except that such permitholder must conduct a full schedule of
 1148 live racing during its race meet consisting of at least eight
 1149 live races per authorized race day for at least 100 days. Any
 1150 harness ~~horse~~ permitholder that during the preceding racing
 1151 season conducted a full schedule of live racing may, at any time
 1152 during its current race meet, receive full-card broadcasts of
 1153 harness horse races conducted at harness racetracks outside this
 1154 state at the harness track of the permitholder and accept wagers
 1155 on such harness races. With specific authorization from the
 1156 division for special racing events, a permitholder may conduct
 1157 fewer than eight live races or games when the permitholder also
 1158 broadcasts out-of-state races or games. The division may not
 1159 grant more than two such exceptions a year for a permitholder in
 1160 any 12-month period, and those two exceptions may not be
 1161 consecutive.

1162 Section 19. Subsections (2), (4), (6), and (7) of section
 1163 550.615, Florida Statutes, are amended, subsections (8), (9),
 1164 and (10) are renumbered as subsections (6), (7), and (8),
 1165 respectively, and amended, and a new subsection (9) is added to
 1166 that section, to read:

1167 550.615 Intertrack wagering.—

1168 (2) A ~~Any~~ track or fronton licensed under this chapter
 1169 which conducted a full schedule of live racing or games in the
 1170 preceding year and any greyhound racing permitholder that

1171 conducted a full schedule of live racing for a period of at
1172 least 10 consecutive state fiscal years after the 1996-1997
1173 state fiscal year or that converted its permit to a permit to
1174 conduct greyhound racing after that fiscal year is qualified to,
1175 at any time, receive broadcasts of any class of pari-mutuel race
1176 or game and accept wagers on such races or games conducted by
1177 any class of permitholders licensed under this chapter.

1178 (4) In no event shall any intertrack wager be accepted on
1179 the same class of live races or games of any permitholder
1180 without the written consent of such operating permitholders
1181 conducting the same class of live races or games if the guest
1182 track is within the market area of such operating permitholder.
1183 A greyhound racing permitholder licensed under this chapter
1184 which accepts intertrack wagers on live greyhound signals is not
1185 required to obtain the written consent required by this
1186 subsection from any operating greyhound racing permitholder
1187 within its market area.

1188 ~~(6) Notwithstanding the provisions of subsection (3), in~~
1189 ~~any area of the state where there are three or more horserace~~
1190 ~~permitholders within 25 miles of each other, intertrack wagering~~
1191 ~~between permitholders in said area of the state shall only be~~
1192 ~~authorized under the following conditions: Any permitholder,~~
1193 ~~other than a thoroughbred permitholder, may accept intertrack~~
1194 ~~wagers on races or games conducted live by a permitholder of the~~
1195 ~~same class or any harness permitholder located within such area~~
1196 ~~and any harness permitholder may accept wagers on games~~

1197 ~~conducted live by any jai alai permitholder located within its~~
 1198 ~~market area and from a jai alai permitholder located within the~~
 1199 ~~area specified in this subsection when no jai alai permitholder~~
 1200 ~~located within its market area is conducting live jai alai~~
 1201 ~~performances; any greyhound or jai alai permitholder may receive~~
 1202 ~~broadcasts of and accept wagers on any permitholder of the other~~
 1203 ~~class provided that a permitholder, other than the host track,~~
 1204 ~~of such other class is not operating a contemporaneous live~~
 1205 ~~performance within the market area.~~

1206 ~~(7) In any county of the state where there are only two~~
 1207 ~~permits, one for dogracing and one for jai alai, no intertrack~~
 1208 ~~wager may be taken during the period of time when a permitholder~~
 1209 ~~is not licensed to conduct live races or games without the~~
 1210 ~~written consent of the other permitholder that is conducting~~
 1211 ~~live races or games. However, if neither permitholder is~~
 1212 ~~conducting live races or games, either permitholder may accept~~
 1213 ~~intertrack wagers on horseraces or on the same class of races or~~
 1214 ~~games, or on both horseraces and the same class of races or~~
 1215 ~~games as is authorized by its permit.~~

1216 ~~(6)-(8)~~ (6) In any three contiguous counties of the state where
 1217 there are only three permitholders, all of which are greyhound
 1218 permitholders, if a greyhound racing ~~any~~ permitholder leases the
 1219 facility of another greyhound racing permitholder for the
 1220 purpose of conducting all or any portion of ~~the conduct of its~~
 1221 live race meet pursuant to s. 550.475, such lessee may conduct
 1222 intertrack wagering at its pre-lease permitted facility

1223 throughout the entire year, including while its live race meet
 1224 is being conducted at the leased facility, ~~if such permitholder~~
 1225 ~~has conducted a full schedule of live racing during the~~
 1226 ~~preceding fiscal year at its pre-lease permitted facility or at~~
 1227 ~~a leased facility, or combination thereof.~~

1228 (7)(9) In any two contiguous counties of the state in
 1229 which there are located only four active permits, one for
 1230 thoroughbred horse racing, two for greyhound racing ~~degracing~~,
 1231 and one for jai alai games, no intertrack wager may be accepted
 1232 on the same class of live races or games of any permitholder
 1233 without the written consent of such operating permitholders
 1234 conducting the same class of live races or games if the guest
 1235 track is within the market area of such operating permitholder.

1236 (8)(10) All costs of receiving the transmission of the
 1237 broadcasts shall be borne by the guest track; and all costs of
 1238 sending the broadcasts shall be borne by the host track.

1239 (9) A greyhound racing permitholder, identified in
 1240 subsection (2), operating pursuant to a current year's operating
 1241 license that specifies no live performances or less than a full
 1242 schedule of live performances is qualified to:

1243 (a) Receive broadcasts at any time of any class of pari-
 1244 mutuel race or game and accept wagers on such races or games
 1245 conducted by any class of permitholder licensed under this
 1246 chapter; and

1247 (b) Accept wagers on live races conducted at out-of-state
 1248 greyhound tracks only on the days when such permitholder

1249 receives all live races that any greyhound host track in this
 1250 state makes available.

1251 Section 20. Paragraphs (d), (f), and (g) of subsection (9)
 1252 of section 550.6305, Florida Statutes, are amended to read:

1253 550.6305 Intertrack wagering; guest track payments;
 1254 accounting rules.—

1255 (9) A host track that has contracted with an out-of-state
 1256 horse track to broadcast live races conducted at such out-of-
 1257 state horse track pursuant to s. 550.3551(5) may broadcast such
 1258 out-of-state races to any guest track and accept wagers thereon
 1259 in the same manner as is provided in s. 550.3551.

1260 (d) Any permitholder located in any area of the state
 1261 where there are only two permits, one for dogracing and one for
 1262 jai alai, and any permitholder that converted its permit to
 1263 conduct jai alai to a permit to conduct greyhound racing in lieu
 1264 of jai alai under s. 550.054(14), Florida Statutes 2014, as
 1265 created by s. 6 of chapter 2009-170, Laws of Florida, may accept
 1266 wagers on rebroadcasts of out-of-state thoroughbred horse races
 1267 from an in-state thoroughbred horse racing permitholder and
 1268 shall not be subject to the provisions of paragraph (b) if such
 1269 thoroughbred horse racing permitholder located within the area
 1270 specified in this paragraph is both conducting live races and
 1271 accepting wagers on out-of-state horseraces. In such case, the
 1272 guest permitholder shall be entitled to 45 percent of the net
 1273 proceeds on wagers accepted at the guest facility. The remaining
 1274 proceeds shall be distributed as follows: one-half shall be

1275 retained by the host facility and one-half shall be paid by the
 1276 host facility as purses at the host facility.

1277 (f) Any permitholder located in any area of the state
 1278 where there are only two permits, one for dogracing and one for
 1279 jai alai, and any permitholder that converted its permit to
 1280 conduct jai alai to a permit to conduct greyhound racing in lieu
 1281 of jai alai under s. 550.054(14), Florida Statutes 2014, as
 1282 created by s. 6 of chapter 2009-170, Laws of Florida, may accept
 1283 wagers on rebroadcasts of out-of-state harness horse races from
 1284 an in-state harness horse racing permitholder and shall not be
 1285 subject to the provisions of paragraph (b) if such harness horse
 1286 racing permitholder located within the area specified in this
 1287 paragraph is conducting live races. In such case, the guest
 1288 permitholder shall be entitled to 45 percent of the net proceeds
 1289 on wagers accepted at the guest facility. The remaining proceeds
 1290 shall be distributed as follows: one-half shall be retained by
 1291 the host facility and one-half shall be paid by the host
 1292 facility as purses at the host facility.

1293 (g)1.a. Any thoroughbred racing permitholder that ~~which~~
 1294 accepts wagers on a simulcast signal must make the signal
 1295 available to any permitholder that is eligible to conduct
 1296 intertrack wagering under the provisions of ss. 550.615-
 1297 550.6345.

1298 ~~b.2.~~ Any thoroughbred racing permitholder that ~~which~~
 1299 accepts wagers on a simulcast signal received after 6 p.m. must
 1300 make such signal available to any permitholder that is eligible

1301 to conduct intertrack wagering under the provisions of ss.
1302 550.615-550.6345, ~~including any permitholder located as~~
1303 ~~specified in s. 550.615(6)~~. Such guest permitholders are
1304 authorized to accept wagers on such simulcast signal,
1305 notwithstanding any other provision of this chapter to the
1306 contrary.

1307 c.3. Any thoroughbred racing permitholder that ~~which~~
1308 accepts wagers on a simulcast signal received after 6 p.m. must
1309 make such signal available to any permitholder that is eligible
1310 to conduct intertrack wagering under the provisions of ss.
1311 550.615-550.6345, ~~including any permitholder located as~~
1312 ~~specified in s. 550.615(9)~~. Such guest permitholders are
1313 authorized to accept wagers on such simulcast signals for a
1314 number of performances not to exceed that which constitutes a
1315 full schedule of live races for a quarter horse permitholder
1316 pursuant to s. 550.002(11), notwithstanding any other provision
1317 of this chapter to the contrary, ~~except that the restrictions~~
1318 ~~provided in s. 550.615(9)(a) apply to wagers on such simulcast~~
1319 ~~signals.~~

1320 2. A ~~No~~ thoroughbred racing permitholder may not ~~shall~~ be
1321 required to continue to rebroadcast a simulcast signal to any
1322 in-state permitholder if the average per performance gross
1323 receipts returned to the host permitholder over the preceding
1324 30-day period were less than \$100. Subject to the provisions of
1325 s. 550.615(4), as a condition of receiving rebroadcasts of
1326 thoroughbred simulcast signals under this paragraph, a guest

1327 | permitholder must accept intertrack wagers on all live races
 1328 | conducted by all then-operating thoroughbred racing
 1329 | permitholders.

1330 | Section 21. Section 550.6308, Florida Statutes, is amended
 1331 | to read:

1332 | 550.6308 Limited intertrack wagering license.—In
 1333 | recognition of the economic importance of the thoroughbred
 1334 | breeding industry to this state, its positive impact on tourism,
 1335 | and of the importance of a permanent thoroughbred sales facility
 1336 | as a key focal point for the activities of the industry, a
 1337 | limited license to conduct intertrack wagering is established to
 1338 | ensure the continued viability and public interest in
 1339 | thoroughbred breeding in Florida.

1340 | (1) (a) Upon application to the division on or before
 1341 | January 31 of each year, any person that is licensed to conduct
 1342 | public sales of thoroughbred horses pursuant to s. 535.01, that
 1343 | has conducted at least 8 ~~15~~ days of thoroughbred horse sales at
 1344 | a permanent sales facility in this state for at least 3
 1345 | consecutive years, ~~and that has conducted at least 1 day of~~
 1346 | ~~nonwagering thoroughbred racing in this state, with a purse~~
 1347 | ~~structure of at least \$250,000 per year for 2 consecutive years~~
 1348 | ~~before such application,~~ shall be issued a license, subject to
 1349 | the conditions set forth in this section, to conduct intertrack
 1350 | wagering at such a permanent sales facility during the following
 1351 | periods:

1352 | 1.(a) Up to 21 days in connection with thoroughbred sales;

1353 2.~~(b)~~ Between November 1 and May 8;

1354 3.~~(e)~~ Between May 9 and October 31 at such times and on

1355 such days as any thoroughbred, jai alai, or a greyhound racing

1356 permitholder in the same county is not conducting live

1357 performances; provided that any such permitholder may waive this

1358 requirement, in whole or in part, and allow the licensee under

1359 this section to conduct intertrack wagering during one or more

1360 of the permitholder's live performances; and

1361 4.~~(d)~~ During the weekend of the Kentucky Derby, the

1362 Preakness, the Belmont, and a Breeders' Cup Meet that is

1363 conducted before November 1 and after May 8.

1364 (b) ~~Only No more than~~ one such license may be issued, and

1365 ~~the no such~~ license may not be issued for a facility located

1366 within 50 miles of any for-profit thoroughbred racing

1367 permitholder's licensed track.

1368 (2) If more than one application is submitted for such

1369 license, the division shall determine which applicant shall be

1370 granted the license. In making its determination, the division

1371 shall grant the license to the applicant demonstrating superior

1372 capabilities, as measured by the length of time the applicant

1373 has been conducting thoroughbred sales within this state or

1374 elsewhere, the applicant's total volume of thoroughbred horse

1375 sales, within this state or elsewhere, the length of time the

1376 applicant has maintained a permanent thoroughbred sales facility

1377 in this state, and the quality of the facility.

1378 (3) The applicant must comply with the provisions of ss.

1379 550.125 and 550.1815.

1380 ~~(4) Intertrack wagering under this section may be~~
 1381 ~~conducted only on thoroughbred horse racing, except that~~
 1382 ~~intertrack wagering may be conducted on any class of pari-mutuel~~
 1383 ~~race or game conducted by any class of permitholders licensed~~
 1384 ~~under this chapter if all thoroughbred, jai alai, and greyhound~~
 1385 ~~permitholders in the same county as the licensee under this~~
 1386 ~~section give their consent.~~

1387 (4)~~(5)~~ The licensee shall be considered a guest track
 1388 under this chapter. The licensee shall pay 2.5 percent of the
 1389 total contributions to the daily pari-mutuel pool on wagers
 1390 accepted at the licensee's facility on greyhound races or jai
 1391 alai games to the thoroughbred racing permitholder that is
 1392 conducting live races for purses to be paid during its current
 1393 racing meet. If more than one thoroughbred racing permitholder
 1394 is conducting live races on a day during which the licensee is
 1395 conducting intertrack wagering on greyhound races or jai alai
 1396 games, the licensee shall allocate these funds between the
 1397 operating thoroughbred racing permitholders on a pro rata basis
 1398 based on the total live handle at the operating permitholders'
 1399 facilities.

1400 Section 22. Section 551.101, Florida Statutes, is amended
 1401 to read:

1402 551.101 Slot machine gaming authorized.—Possession of slot
 1403 machines and conduct of slot machine gaming is only allowed at
 1404 licensed eligible facilities pursuant to this part and

1405 ~~department rule. Any licensed pari-mutuel facility located in~~
 1406 ~~Miami Dade County or Broward County existing at the time of~~
 1407 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1408 ~~conducted live racing or games during calendar years 2002 and~~
 1409 ~~2003 may possess slot machines and conduct slot machine gaming~~
 1410 ~~at the location where the pari-mutuel permitholder is authorized~~
 1411 ~~to conduct pari-mutuel wagering activities pursuant to such~~
 1412 ~~permitholder's valid pari-mutuel permit provided that a majority~~
 1413 ~~of voters in a countywide referendum have approved slot machines~~
 1414 ~~at such facility in the respective county. Notwithstanding any~~
 1415 ~~other provision of law, it is not a crime for a person to~~
 1416 ~~participate in slot machine gaming at a pari-mutuel facility~~
 1417 ~~licensed to possess slot machines and conduct slot machine~~
 1418 ~~gaming or to participate in slot machine gaming described in~~
 1419 ~~this chapter.~~

1420 Section 23. Subsections (4) and (11) of section 551.102,
 1421 Florida Statutes, are amended to read:

1422 551.102 Definitions.—As used in this chapter, the term:

1423 (4) "Eligible facility" means a any licensed pari-mutuel
 1424 facility that meets the requirements of s. 551.104(2) ~~located in~~
 1425 ~~Miami Dade County or Broward County existing at the time of~~
 1426 ~~adoption of s. 23, Art. X of the State Constitution that has~~
 1427 ~~conducted live racing or games during calendar years 2002 and~~
 1428 ~~2003 and has been approved by a majority of voters in a~~
 1429 ~~countywide referendum to have slot machines at such facility in~~
 1430 ~~the respective county; any licensed pari-mutuel facility located~~

1431 ~~within a county as defined in s. 125.011, provided such facility~~
 1432 ~~has conducted live racing for 2 consecutive calendar years~~
 1433 ~~immediately preceding its application for a slot machine~~
 1434 ~~license, pays the required license fee, and meets the other~~
 1435 ~~requirements of this chapter; or any licensed pari-mutuel~~
 1436 ~~facility in any other county in which a majority of voters have~~
 1437 ~~approved slot machines at such facilities in a countywide~~
 1438 ~~referendum held pursuant to a statutory or constitutional~~
 1439 ~~authorization after the effective date of this section in the~~
 1440 ~~respective county, provided such facility has conducted a full~~
 1441 ~~schedule of live racing for 2 consecutive calendar years~~
 1442 ~~immediately preceding its application for a slot machine~~
 1443 ~~license, pays the required license ~~licensed~~ fee, and meets the~~
 1444 other requirements of this chapter.

1445 (11) "Slot machine licensee" means a pari-mutuel
 1446 permitholder ~~that who~~ holds a slot machine license issued by the
 1447 division ~~pursuant to this chapter that authorizes such person to~~
 1448 ~~possess a slot machine within facilities specified in s. 23,~~
 1449 ~~Art. X of the State Constitution and allows slot machine gaming.~~

1450 Section 24. Subsection (2) and paragraph (c) of subsection
 1451 (4) of section 551.104, Florida Statutes, are amended, and
 1452 subsection (3) of that section is republished, to read:

1453 551.104 License to conduct slot machine gaming.—

1454 (2) An application may be approved by the division only
 1455 if:

1456 (a) The facility at which the applicant seeks to operate

1457 slot machines is:

1458 1. A licensed pari-mutuel facility where live racing or
1459 games were conducted during calendar years 2002 and 2003,
1460 located in Miami-Dade County or Broward County, and authorized
1461 for slot machine licensure pursuant to s. 23, Art. X of the
1462 State Constitution;

1463 2. A licensed pari-mutuel facility where a full schedule
1464 of live horseracing has been conducted for 2 consecutive
1465 calendar years immediately preceding its application for a slot
1466 machine license and located within a county as defined in s.
1467 125.011; or

1468 3. A licensed pari-mutuel facility located in a county in
1469 which a majority of voters have approved slot machines at
1470 eligible facilities in a countywide referendum held concurrently
1471 with a general election in which the offices of President and
1472 Vice President of the United States were on the ballot, if the
1473 permitholder has conducted at least 250 live performances at the
1474 facility in accordance with that permitholder's annual operating
1475 license for 25 consecutive years immediately preceding its
1476 initial application for a slot machine license, pays the
1477 required license fee, and meets the other requirements of this
1478 chapter. However, a license to conduct slot machine gaming may
1479 not be granted by the division pursuant to this subparagraph
1480 unless the Gaming Compact between the Seminole Tribe of Florida
1481 and the State of Florida authorized pursuant to s. 285.710 is
1482 amended to exempt the slot machine gaming conducted by such slot

1483 machine licensees from the Seminole Tribe of Florida's exclusive
 1484 gaming rights.

1485 (b) after The voters of the county where the applicant's
 1486 facility is located have authorized by referendum slot machines
 1487 within pari-mutuel facilities in that county ~~as specified in s.~~
 1488 ~~23, Art. X of the State Constitution.~~

1489 (c) Issuance of the license would not trigger a reduction
 1490 in revenue-sharing payments under the Gaming Compact between the
 1491 Seminole Tribe of Florida and the State of Florida.

1492 (3) A slot machine license may be issued only to a
 1493 licensed pari-mutuel permitholder, and slot machine gaming may
 1494 be conducted only at the eligible facility at which the
 1495 permitholder is authorized under its valid pari-mutuel wagering
 1496 permit to conduct pari-mutuel wagering activities.

1497 (4) As a condition of licensure and to maintain continued
 1498 authority for the conduct of slot machine gaming, the slot
 1499 machine licensee shall:

1500 (c) Conduct no fewer than a full schedule of live racing
 1501 or games as defined in s. 550.002(11). A permitholder's
 1502 responsibility to conduct such number of live races or games
 1503 shall be reduced by the number of races or games that could not
 1504 be conducted due to the direct result of fire, war, hurricane,
 1505 or other disaster or event beyond the control of the
 1506 permitholder. A greyhound racing permitholder is exempt from the
 1507 live racing requirement of this paragraph if the permitholder
 1508 conducted a full schedule of live racing for a period of at

1509 least 10 consecutive state fiscal years after the 2002-2003
 1510 state fiscal year.

1511 Section 25. Subsections (2) and (4) of section 551.114,
 1512 Florida Statutes, are amended to read:

1513 551.114 Slot machine gaming areas.—

1514 (2) The slot machine licensee shall display pari-mutuel
 1515 races or games within the designated slot machine gaming areas
 1516 and offer patrons within the designated slot machine gaming
 1517 areas the ability to engage in pari-mutuel wagering on any live,
 1518 intertrack, and simulcast races conducted or offered to patrons
 1519 of the licensed facility.

1520 (4) Designated slot machine gaming areas may be located
 1521 within the current live gaming facility or in an existing
 1522 building that must be contiguous and connected to the live
 1523 gaming facility. If a designated slot machine gaming area is to
 1524 be located in a building that is to be constructed, that new
 1525 building must be contiguous and connected to the live gaming
 1526 facility. For a greyhound racing permitholder licensed to
 1527 conduct pari-mutuel activities pursuant to a current year's
 1528 operating license that does not require live performances,
 1529 designated slot machine gaming areas may be located only within
 1530 the eligible facility for which the initial annual slot machine
 1531 license was issued.

1532 Section 26. Section 551.116, Florida Statutes, is amended
 1533 to read:

1534 551.116 Days and hours of operation.—Slot machine gaming

1535 areas may be open daily throughout the year. The slot machine
1536 gaming areas may be open ~~a cumulative amount of 18 hours per day~~
1537 ~~on Monday through Friday and 24 hours per day on Saturday and~~
1538 ~~Sunday and on those holidays specified in s. 110.117(1).~~

1539 Section 27. Paragraph (b) of subsection (5), paragraph (b)
1540 of subsection (7), paragraph (d) of subsection (13), and
1541 subsections (16) and (17) of section 849.086, Florida Statutes,
1542 are amended, paragraphs (c) and (d) of subsection (5) are
1543 redesignated as paragraphs (d) and (e), respectively, and a new
1544 paragraph (c) is added to that subsection, to read:

1545 849.086 Cardrooms authorized.—

1546 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may
1547 operate a cardroom in this state unless such person holds a
1548 valid cardroom license issued pursuant to this section.

1549 (b) After the initial cardroom license is granted, the
1550 application for the annual license renewal shall be made in
1551 conjunction with the applicant's annual application for its
1552 pari-mutuel license. If a permitholder has operated a cardroom
1553 during any of the 3 previous fiscal years and fails to include a
1554 renewal request for the operation of the cardroom in its annual
1555 application for license renewal, the permitholder may amend its
1556 annual application to include operation of the cardroom. In
1557 order for a cardroom license to be renewed the applicant must
1558 have requested, as part of its pari-mutuel annual license
1559 application, to conduct at least 90 percent of the total number
1560 of live performances conducted by such permitholder during

1561 either the state fiscal year in which its initial cardroom
1562 license was issued or the state fiscal year immediately prior
1563 thereto if the permitholder ran at least a full schedule of live
1564 racing or games in the prior year. If the application is for a
1565 harness permitholder cardroom, the applicant must have requested
1566 authorization to conduct a minimum of 140 live performances
1567 during the state fiscal year immediately prior thereto. If more
1568 than one permitholder is operating at a facility, each
1569 permitholder must have applied for a license to conduct a full
1570 schedule of live racing.

1571 (c) A greyhound racing permitholder is exempt from the
1572 live racing requirements of this section if it conducted a full
1573 schedule of live racing for a period of at least 10 consecutive
1574 state fiscal years after the 1996-1997 state fiscal year or if
1575 it converted its permit to a permit to conduct greyhound racing
1576 after that fiscal year. However, as a condition of cardroom
1577 licensure, greyhound racing permitholders who are not conducting
1578 a full schedule of live racing must conduct intertrack wagering
1579 on greyhound signals, to the extent available, on each day of
1580 cardroom operation.

1581 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1582 (b) Any cardroom operator may operate a cardroom at the
1583 pari-mutuel facility daily throughout the year, if the
1584 permitholder meets the requirements under paragraph (5) (b). The
1585 cardroom may be open ~~a cumulative amount of 18 hours per day on~~
1586 ~~Monday through Friday and 24 hours per day on Saturday and~~

1587 ~~Sunday and on the holidays specified in s. 110.117(1).~~

1588 (13) TAXES AND OTHER PAYMENTS.—

1589 (d)1. Each greyhound racing permitholder conducting live
 1590 racing and jai alai permitholder that operates a cardroom
 1591 facility shall use at least 4 percent of such permitholder's
 1592 cardroom monthly gross receipts to supplement greyhound purses
 1593 or jai alai prize money, respectively, during the permitholder's
 1594 current or next ensuing pari-mutuel meet.

1595 2. Each thoroughbred and harness horse racing permitholder
 1596 that operates a cardroom facility shall use at least 50 percent
 1597 of such permitholder's cardroom monthly net proceeds as follows:
 1598 47 percent to supplement purses and 3 percent to supplement
 1599 breeders' awards during the permitholder's next ensuing racing
 1600 meet.

1601 3. A ~~No~~ cardroom license or renewal thereof may not ~~shall~~
 1602 be issued to an applicant holding a permit under chapter 550 to
 1603 conduct pari-mutuel wagering meets of quarter horse racing
 1604 unless the applicant has on file with the division a binding
 1605 written agreement between the applicant and the Florida Quarter
 1606 Horse Racing Association or the association representing a
 1607 majority of the horse owners and trainers at the applicant's
 1608 eligible facility, governing the payment of purses on live
 1609 quarter horse races conducted at the licensee's pari-mutuel
 1610 facility. The agreement governing purses may direct the payment
 1611 of such purses from revenues generated by any wagering or gaming
 1612 the applicant is authorized to conduct under Florida law. All

1613 pursues shall be subject to the terms of chapter 550.

1614 (16) LOCAL GOVERNMENT APPROVAL.—The Division of Pari-
 1615 mutuel Wagering may ~~shall~~ not issue any initial license under
 1616 this section except upon proof in such form as the division may
 1617 prescribe that the local government where the applicant for such
 1618 license desires to conduct cardroom gaming has voted to approve
 1619 such activity by a majority vote of the governing body of the
 1620 municipality or the governing body of the county if the facility
 1621 is not located in a municipality.

1622 (17) CHANGE OF LOCATION; REFERENDUM.—

1623 ~~(a)~~ Notwithstanding any provisions of this section, no
 1624 cardroom gaming license issued under this section shall be
 1625 transferred, or reissued when such reissuance is in the nature
 1626 of a transfer, so as to permit or authorize a licensee to change
 1627 the location of the cardroom. ~~except upon proof in such form as~~
 1628 ~~the division may prescribe that a referendum election has been~~
 1629 ~~held:~~

1630 1. ~~If the proposed new location is within the same county~~
 1631 ~~as the already licensed location, in the county where the~~
 1632 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1633 ~~of the electors voting on the question in such election voted in~~
 1634 ~~favor of the transfer of such license. However, the division~~
 1635 ~~shall transfer, without requirement of a referendum election,~~
 1636 ~~the cardroom license of any permit holder that relocated its~~
 1637 ~~permit pursuant to s. 550.0555.~~

1638 2. ~~If the proposed new location is not within the same~~

1639 ~~county as the already licensed location, in the county where the~~
 1640 ~~licensee desires to conduct cardroom gaming and that a majority~~
 1641 ~~of the electors voting on that question in each such election~~
 1642 ~~voted in favor of the transfer of such license.~~

1643 ~~(b) The expense of each referendum held under the~~
 1644 ~~provisions of this subsection shall be borne by the licensee~~
 1645 ~~requesting the transfer.~~

1646 Section 28. Section 849.095, Florida Statutes, is created
 1647 to read:

1648 849.095 Destination resorts referendums.-

1649 (1) The board of county commissioners in a county where an
 1650 eligible facility as defined in s. 551.102(4) is located may
 1651 conduct a countywide referendum of qualified electors or a
 1652 majority-plus-one vote of the board of county commissioners on
 1653 whether to permit the location of a destination resort in that
 1654 county. The outcome of the referendum does not bind any state
 1655 government agency. The ballot question shall be stated as
 1656 follows:

1657 A destination resort is defined as a free-standing
 1658 land-based structure in which class III casino gaming
 1659 may be operated and which also consists of a
 1660 combination of various tourism amenities and
 1661 facilities, including, but not limited to, hotels,
 1662 villas, restaurants, gaming facilities, convention and
 1663 meeting facilities, entertainment facilities,
 1664 attractions, service centers, and shopping centers.

1665 Examples of class III casino games include slot
 1666 machines, poker, banked card games, roulette, craps,
 1667 and banked games using a wheel, dice, tiles, or other
 1668 equipment.

1669 Should the operation of a destination resort, as
 1670 defined above, be authorized in County, subject
 1671 to a minimum private capital investment of \$1.5
 1672 billion by the operators of the proposed destination
 1673 resort?

1674 ... YES

1675 ... NO

1676
 1677 A referendum of the electors under this section shall take
 1678 place, if held, during the general election held during
 1679 November, 2016. A vote of the board of county commissioners
 1680 shall take place, if held, no later than December 31, 2016.

1681 (2) No later than 30 days after conducting a referendum or
 1682 vote pursuant to subsection (1), the results of such referendum
 1683 or vote of the board of county commissioners shall be reported
 1684 in writing by the board of county commissioners to the Governor,
 1685 the President of the Senate, and the Speaker of the House of
 1686 Representatives.

1687 Section 29. The Division of Pari-mutuel Wagering of the
 1688 Department of Business and Professional Regulation shall revoke
 1689 any permit to conduct pari-mutuel wagering when a permitholder
 1690 has not conducted live events within the 24 months preceding the

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1691 effective date of this act, unless the permit was issued under
1692 s. 550.3345. A permit revoked under this section may not be
1693 reissued.

1694 Section 30. If any provision of this act or its
1695 application to any person or circumstance is held invalid, the
1696 invalidity does not affect other provisions or applications of
1697 this act which can be given effect without the invalid provision
1698 or application, and to this end the provisions of this act are
1699 severable.

1700 Section 31. This act shall take effect upon becoming a
1701 law.