

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCS: Economic Affairs Committee
 2 Representative Jenne offered the following:

Amendment (with title amendment)

5 Between lines 407 and 408, insert:

6 Subsection (1)(a)1 of section 849.161, Florida Statutes, is
 7 amended to read:

8 849.161 Amusement games or machines; when chapter
 9 inapplicable.—

10 (1)(a)1. Nothing contained in this chapter shall be taken
 11 or construed as applicable to an arcade amusement center having
 12 amusement games or machines which operate by means of ~~the~~
 13 insertion of a coin or as a result of the exchange of any
 14 consideration whatsoever and which by application of skill may
 15 entitle the person playing or operating the game or machine to
 16 receive points or coupons which may be exchanged for merchandise
 17 only, excluding cash and alcoholic beverages, provided the cost
 18 value of the merchandise or prize awarded in exchange for such
 19 points or coupons does not exceed 75 cents on any game played.

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20 2. Nothing contained in this chapter shall be taken or
21 construed as applicable to any retail dealer who operates as a
22 truck stop, as defined in chapter 336 and which operates a
23 minimum of 6 functional diesel fuel pumps, having amusement
24 games or machines which operate by means of the insertion of a
25 coin or other currency and which by application of skill may
26 entitle the person playing or operating the game or machine to
27 receive points or coupons which may be exchanged for merchandise
28 limited to noncash prizes, toys, novelties, and Florida Lottery
29 products, excluding alcoholic beverages, provided the cost value
30 of the merchandise or prize awarded in exchange for such points
31 or coupons does not exceed 75 cents on any game played. This
32 subparagraph applies only to games and machines which are
33 operated for the entertainment of the general public and
34 tourists as bona fide amusement games or machines. This
35 subsection shall not apply, however, to any game or device
36 defined as a gambling device in ~~24~~ 15 U.S.C. s. 1171, which
37 requires identification of each device by permanently affixing
38 seriatim numbering and name, trade name, and date of manufacture
39 under s. 1173, and registration with the United States Attorney
40 General, unless excluded from applicability of the chapter under
41 s. 1178. This subsection shall not be construed to authorize
42 video poker games or any other game or machine that may be
43 construed as a gambling device under Florida law.

44 (b) Nothing in this subsection shall be taken or construed
45 as applicable to a coin-operated game or device designed and
46 manufactured only for bona fide amusement purposes which game or
47 device may by application of skill entitle the player to replay

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48 the game or device at no additional cost, if the game or device:
 49 can accumulate and react to no more than 15 free replays; can be
 50 discharged of accumulated free replays only by reactivating the
 51 game or device for one additional play for such accumulated free
 52 replay; can make no permanent record, directly or indirectly, of
 53 free replays; and is not classified by the United States as a
 54 gambling device in ~~24~~ 15 U.S.C. s. 1171, which requires
 55 identification of each device by permanently affixing serial
 56 numbering and name, trade name, and date of manufacture under s.
 57 1173, and registration with the United States Attorney General,
 58 unless excluded from applicability of the chapter under s. 1178.
 59 This subsection shall not be construed to authorize video poker
 60 games, or any other game or machine that may be construed as a
 61 gambling device under Florida law.

62 (2) The term "arcade amusement center" as used in this
 63 section means a place of business having at least 50 coin-
 64 operated amusement games or machines on premises which are
 65 operated for the entertainment of the general public and
 66 tourists as a bona fide amusement facility.

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

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73 Remove line 27 and insert:
74 amending s. 849.161, F.S.; revising exemption and definition;
75 amending

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