

61D-14.002 Application Requirements.

(1) Each application for a slot machine license shall:

(a) Be filed by a pari-mutuel wagering permitholder;

(b) Be filed ~~shall include the following information~~ on Form DBPR PMW-3400, Permitholder Application for Annual Slot Machine License, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C.;

(c)(a) ~~Include the~~ The full name of the applicant;

(d)(b) ~~Include a~~ A list of all ownership interests of five percent or greater;

1. If the applicant is a corporation, provide the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity; or;

2. If the applicant is if a business entity other than a corporation, provide the names and addresses of the principals, partners, shareholders, or any other person holding five percent or more equity;

(e)(e) ~~Include the~~ The names and addresses of the ultimate equitable owners for a corporation or other business entity, if different from those provided under paragraph (d)(b), unless:

1. The securities of the corporation or entity are registered pursuant to Section 12 of the Securities Exchange Act of 1934, 15 United States Code Sections 78a-78kk; and

2. ~~The~~ If ~~such~~ corporation or entity files the reports required by Section 13 of the Act with the United States Securities and Exchange Commission, ~~the reports required by Section 13 of the act above~~ or if the securities of the corporation or entity are regularly traded on an established securities market in the United States;

(f)(d) ~~Include the~~ The names and addresses of any mortgagee of the applicant's any pari-mutuel facility and information on any financial agreement between the parties including the names and addresses of:

1. ~~The~~ the officers and directors of the mortgagee;

2. ~~The~~ and of those stockholders in the mortgagee who hold more than five percent of the stock; ~~of the mortgagee~~. If applicable, a mortgagee shall also file the same information for

3. The equitable owners under paragraph (e)(e) if applicable and the mortgagee is a publicly traded company;

(g)(e) ~~Provide for~~ For each individual listed in the application as an owner, partner, officer, or director a complete:

1. ~~Set a complete set of~~ fingerprints that have been taken by a law enforcement officer or division staff to allow for electronic submission to FDLE; and

2. Form DBPR PMW_3460, Request for Release of Information and Authorization to Release Information, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C., authorizing the division and FDLE to obtain any record held by a financial or public institution;

(h)(f) ~~Include a~~ A security plan that is in compliance with the specifications cited ~~sited~~ in Rule 61D-14.051, F.A.C.;

(i)(g) ~~Include a~~ A copy of the contracts required by Section 551.104(10), F.S.;

(j)(h) ~~Include~~ Each applicant shall ~~provide~~ the name and address of the custodian of records in Florida for slot machine operations;

(k)(i) ~~Include the date of issue of each permit to conduct pari-mutuel wagering and the applicant's~~ Each applicant shall ~~disclose each permit to conduct pari-mutuel wagering that is issued to the applicant in which it has any ownership interest~~ percentage;

(l)(j) ~~Include a complete Form DBPR PMW-3470, Surety Bond for Florida Slot Machine Licensee, adopted and incorporated by Rule 61D-15.001, F.A.C. This form~~ Each applicant shall ~~provide~~ proof of a bond, in the amount of at least 2 million dollars (\$2,000,000.00) payable to the Governor of the State of Florida and his or her ~~or his/her~~ successors in office ~~issued by a surety authorized to issue such a bond in the state of Florida~~. The bond required by

this section ~~must~~ shall be conditioned to require faithful payment of all taxes, fees, or any other moneys payable under Chapter 551, F.S., and indicate whether it is renewable for successive license renewal periods and how many renewals are provided by the bond;

1. Be issued by a surety authorized to issue such a bond in the state of Florida;

2. Provide the surety name, bond number, and date of the instrument;

3. State that upon the principal's failure to comply with Chapter 551, F.S., and Chapter 61D-14, F.A.C., including but not limited to the principal's failure to promptly pay all gaming fees and taxes when due and demanded, the Director of the Division of Pari-Mutuel Wagering of the Department of Business and Professional Regulation (DBPR) may make demand upon the surety for the payment of the amount of the default to also include any fines or administrative penalties imposed as a result of a default by said principal up to but not to exceed the amount of its liability as defined by this bond;

4. Indicate the expiration date of the bond and provide that the bond may be continued by continuation certificate signed by the principal and surety;

5. Provide that the surety may reserve the right to withdraw from the bond, except the surety may not withdraw as to any liability already incurred or accrued during the period of the bond, and may do so only upon giving written notice of the withdrawal to the Director of the Division of Pari-Mutuel Wagering, State of Florida, DBPR, 1940 North Monroe Street, Tallahassee, Florida 32399. The bond must further provide that any approved withdrawal shall not be effective until sixty (60) days have elapsed after the division's acknowledgement of the notice;

6. Provide that withdrawal shall not in any case affect the surety's liability arising out of any outstanding amount incurred prior to the expiration of the 60-day period, after which the division has acknowledged the surety's notice of withdrawal; and

7. Include the signatures of the Corporate President, Secretary, and attorney in fact (as required) and Resident Agent licensed in the State of Florida, and the printed name and address of that Resident Agent.

~~(m)(k)~~ Include payment of Each applicant shall pay the non-refundable application fee upon the filing of the application as required by Section 551.106(1), F.S.;

~~(n)(l)~~ Include payment of Each applicant shall pay the non-refundable regulatory fee to fund the compulsive gambling program as required by Section 551.118, F.S.;

~~(o)(m)~~ Include a A copy of each policy required by Sections 551.104(4)(i); and 551.118, F.S., for the following:

- ~~1.~~ Creating opportunities to purchase from vendors in this state, including minority vendors;
- ~~2.~~ Creating opportunities for employment of residents of this state, including minority residents;
- ~~3.~~ Ensuring that opportunities for construction services are from minority contractors;
- ~~4.~~ Ensuring that opportunities for employment are offered on an equal, nondiscriminatory basis; and
- ~~5.~~ Training for employees on responsible gaming and working with a compulsive or addictive gambling

treatment program as required by Section 551.118, F.S.;

~~(n)~~ Each applicant shall disclose all administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S.;

~~(o)~~ Each applicant shall disclose all judgments entered as the result of any administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S.;

(p) Include a copy of:

1. All administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency and all judgments entered as the result of any completed proceedings that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054, 550.1815, and 551.104, F.S.; and

2. Each complaint, pleading, and any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

~~(q)(p)~~ Include internal ~~Internal~~ control procedures required by Rule 61D-14.058, F.A.C.; and

~~(r)(q)~~ Include the ~~The~~ dates and hours of slot machine operations as specified in Rule 61D-14.017, F.A.C.

~~(2) The application shall be filed under oath by the applicant for a slot machine license~~ shall file its application under oath.

(3) No change.

(4) The applicant shall indicate:

~~(a) When~~ If the applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law, for any part of its application, and it shall indicate in its application

~~(b) The~~ the specific sections for which it claims an exemption and the basis for the exemption pursuant to Section 119.07, F.S., or any other exemption from public records disclosure provided by law.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 119.07, 551.103(1)(a), (b), (f), 551.104(4), (10), 551.106(1), 551.118 FS. History--New 6-25-06, Amended _____.

61D-14.005 Occupational License Requirements for Individual Persons.

(1) The following slot machine occupational license requirements apply to individual persons having access to the designated slot machine area or who may be granted access to the slot machine area by reason of the positions they hold:

(a) Professional Individual Employee Occupational License – Individuals meeting any of the following criteria shall apply for a professional individual occupational license. An individual seeking a license as an employee of a slot machine facility who: An individual seeking a license as an employee of a slot machine facility who will be a security employee or hold a position as the head of a department referenced in Rule 61D-14.015, F.A.C., or a supervisor of employees of the slot machine licensee shall apply for a professional employee occupational license;

1. Will be a security, surveillance, or supervisory employee of a slot machine facility;

2. Will have access to the interior of a slot machine, a slot machine's revenue, or accounting and reporting records associated with slot machine revenue; or

3. Holds a position as the head of a department referenced in Rule 61D-14.015, F.A.C., or a supervisor of employees of the slot machine licensee.

(b) General Individual Employee Occupational License – An individual seeking a license as an employee of a slot machine facility with no management or supervisory authority related to the slot machine licensee's facility or employees not covered in paragraph (1)(a) above shall apply for a general individual employee occupational license; and

(c) No change.

(2) As part of the initial application for or renewal of ~~for~~ a slot machine occupational license provided in Section 551.107, F.S., an applicant shall submit the following information under oath on Form DBPR PMW-3410, Slot Machine Individual Employee Occupational License Application, or Form DBPR PMW-3415, Slot Machine

Individual Occupational License Renewal Application, which is adopted and incorporated by Rule 61D-15.001, F.A.C.:

(a) through (e) No change.

(f) The applicant's marital status and the name, date of birth, race, and gender ~~names~~ of the applicant's spouse, children, siblings, grandchildren, the applicant's parents, and any other relative over the age of 21 living in the same household as the applicant;

(g) through 1. No change.

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency; ~~and~~

(h) Information regarding any ~~Any~~ administrative, civil, or criminal proceedings, or any investigations known to the applicant that have been initiated by any governmental agency or any other state or federal agency regarding the applicant that could affect the license status of the applicant in that jurisdiction, or any judgment entered as the result of any such proceeding to include:-

1. The date of any listed action;

2. A copy of any complaint filed in the above actions; and

3. A copy of any final orders, judgments, or other final judicial disposition in the above actions.

(3) through (c) No change.

1. All gaming-related employment; ~~and~~

2. Any non-gaming employment for the previous ten years; and

3. Any period of unemployment in excess of one month.

(d) No change.

(e) A Form DBPR PMW-3460, Authorization for Release of Information, adopted and incorporated by Rule 61D-15.001, F.A.C., ~~release~~ signed by the individual ~~authorizing the division and FDLE to obtain any record held by a financial or public institution.~~

(4) No change.

(a) A duly completed original Form DBPR PMW-3410, Slot Machine Individual Employee Occupational License Application, which is adopted and incorporated by Rule 61D-15.001, F.A.C., in accordance with subsection (3);

(b) through (7) No change.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(b), 551.107(4)(a), 551.108 FS. History—New 6-25-06, Amended 12-6-06, _____.

61D-14.006 Occupational License Application Requirements for Business Entities.

(1) The slot machine occupational license requirements of this section apply to any business entities, including sole proprietorships, as follows:

(a) A business entity shall apply for a business entity occupational license, if the business entity:

1. Acts that acts as a slot machine management company, slot machine manufacturer or distributor, or sells slot machine gaming related products, services, or goods to a slot machine licensee; or

2. Employs individuals who ~~whose employees~~ may be granted access to the designated slot machine area by reason of the employment position they hold with the business entity. ~~shall apply for a business entity occupational license; and~~

(b) Business entities or their employees that do not supply slot machine gaming related products, services, or goods are not required to hold a business occupational license. However, the slot machine licensee shall be required to meet the requirements of ~~maintain a list of employees as required by~~ paragraph 61D-14.051(4)(k), F.A.C.

(c) A business entity may submit a modified application to apply for a business entity occupational license under the conditions listed in subsection (4) below if it meets specific criteria listed below. The entity's employee(s) shall obtain a slot machine occupational license if they intend to be granted access to the designated slot machine area by reason of the employment position they hold with the business entity. The business entity must meet each of the following criteria for this specific licensure:

1. The service or product the business entity provides a facility licensed under Chapter 551, F.S., is not exclusively (or specifically) dedicated to slot machine gaming, or the delivery of slot machines, or the business entity is not engaged in activity directly related to slot machines;

2. The service or product the business entity provides a facility licensed under Chapter 551, F.S., requires employees of the business entity to interact or come in contact with facility slot machines, support systems, or other associated equipment connected in any way to the operation of slot machines in order to perform their responsibilities;

3. The business entity is a corporation with regularly traded shares on an established securities market in the United States;

4. The business entity is a corporation with corporate officers located in more than three states and/or overseas locations; and

5. The day-to-day management of the business entity within Florida is delegated to a senior manager resident within Florida. For purposes of this rule, the term senior manager designates an applicant's highest level manager permanently residing in Florida.

(2) through (3)(h)1. No change.

2. A Form DBPR PMW-3460, Authorization for Release of Information, adopted and incorporated by Rule 61D-15.001, F.A.C., ~~release~~ signed by the individual ~~authorizing the division and FDLE to obtain any record held by a financial and public institution.~~

(i) The name, title, and job description of each employee who is required to enter ~~access~~ any area of a slot machine licensee's facility;

(j) Disclosure of other jurisdictions in which the applicant holds, has held, or is applying for a gaming license, including any license, permit, or registry required in order to participate in any legal gaming operation.;

1. Any license, permit, or registry required in order to participate in any legal gaming operation; and

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency;

(k) Disclosure of whether the applicant has had a gaming license in another jurisdiction suspended, revoked, or denied, or whether there are administrative, civil, or criminal proceedings in any other jurisdiction that could result in the imposition of any suspension, revocation, or denial in that jurisdiction. Such disclosure shall include: any license which has been relinquished in lieu of such prosecution;

1. A list [b1] of the applicable license, permit, or registry required in order to participate in any legal gaming operation, including any license which has been relinquished in lieu of prosecution;

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency; and

3. A copy of all court and/or administrative records regarding any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency.

(l) through (n) No change.

(o) If the applicant is a corporation, the application shall also disclose:

1. The state in which the applicant is incorporated;

2. Whether Disclosure of whether the corporation, or any officer or director of that corporation, has ever been convicted of a crime, and if so, provide:

a. A a listing of those crimes offenses; and

b. A copy of all court and/or administrative records concerning the charge and final order regarding any crime for which the corporation or officer or director was convicted.

3. through (p) No change.

(4) The following exemptions apply if a business entity chooses to submit itself for consideration under the requirements of paragraph (1)(c) above for the division's approval. The following changes and agreement of terms of such submission apply regarding that entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., and any subsequent enforcement action regarding the business entity or entity employee's conduct:

(a) The Senior Manager who is employed and resides within Florida shall be permitted to represent the business entity for purposes of fulfilling the requirements of paragraph (3)(h) above;

(b) The Senior Manager representing the entity shall obtain an individual occupational license pursuant to Rule 61D-14.005, F.A.C.;

(c) The information required pursuant to the requirements of paragraph (3)(m) above is further excluded from the required application as well as the requirement for the continued maintenance of that information in corporate records for inspection;

(d) The information required on Form DBPR PMW-3430, Business Entity Internal Control Information, adopted and incorporated by Rule 61D-15.001, F.A.C., shall be limited to that business activity conducted within the State of Florida;

(e) The business entity remains responsible for all required certifications as to accuracy of the information contained on the application for that business entity, notwithstanding the fact the Senior Manager represents the entity on that application;

(f) The entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., shall be signed by an officer qualified to bind the corporation at the corporate level to contracts and similar agreements. The corporate officer's signature shall attest to the accuracy and completeness of all information submitted on the application, without reservation; and

(g) All other requirements for application pursuant to this rule remain unchanged.

(5) The business entity, by availing itself of the provisions of subsection (4) above, agrees to the following additional requirements of this application process under this subsection:

(a) The entire corporate business entity is subjected to the regulatory requirements and mandates of Chapter 551, F.S., and applicable rules;

(b) Any disciplinary action taken as to the business entity or the business entity designated Senior Manager representative within the state shall apply to the business entity corporate record of performance within this state as it relates to slot machine gaming licensure;

(c) Upon request from another regulatory jurisdiction, the division shall report regulatory infractions and/or disciplinary action applied to the business entity in Florida as applicable to the business entity's corporate record of performance within the state without qualification or reservation.

~~(6)(4)~~ If the applicant is a business entity, it shall file its ~~the~~ business occupational license application ~~shall be filed~~ under oath by an officer, director, or manager who is authorized by the applicant business entity to bind the applicant to the representations made in the license application.

~~(7)(5)~~ An applicant for a license as a manufacturer or distributor of slot machines, or any equipment necessary for the operation of slot machines, shall include with its application an affidavit attesting to the fact that the applicant, its officers, directors, or employees have no ownership or financial interest in a slot machine licensee or any business owned by a slot machine licensee.

~~(8)(6)~~ If the applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law, for any part of its application, it shall indicate in its application the specific sections for which it claims an exemption and the basis for the exemption.

~~(9)(7)~~ Each application shall be filed with the division's office located at ~~the slot machine licensee's facility or to the division~~ at 1940 North Monroe Street, Tallahassee, Florida 32399-1035.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a) FS. History--New 7-30-06, Amended _____.

61D-14.008 Occupational License Renewal Application.

(1) The application for renewal of a slot machine occupational license shall be made under oath and include:

(a) A duly completed original Form DBPR PMW-3415, Slot Machine Individual Occupational License Renewal Application, or Form DBPR PMW-3425, Slot Machine Business Entity Occupational License Renewal Application, DBPR PMW 3410, Slot Machine Employee Occupational License Application or 3420, Slot Machine Business Entity Occupational License Application, which are adopted and incorporated by Rule 61D-15.001, F.A.C.; and

(b) No change.

(c) Disclosure of the following administrative, civil, or criminal actions that have occurred since the issue of the current license:

1. All administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency; and

2. A complete copy of the complaint, pleadings, and any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

~~(2) The division shall issue a slot machine occupational license~~ Slot machine occupational licenses shall be issued by the division for a period of one year or three years. Applications shall be when accompanied by the corresponding license fee, beginning on July ~~October~~ 1 of each year and expiring on June ~~September~~ 30 of the anniversary following year for the license.

(3) The completed renewal application shall be filed with and received by the division between May 1st and June ~~August 2nd through September 30th~~ of the year the license is due to expire.

(4) The license for any person who fails to submit a completed renewal application in accordance with this section shall expire on the expiration date.

(5) Any person whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license; Any person whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license shall be considered an initial slot machine occupational license applicant.

(a) Within one year of the expiration of the current license shall be considered an applicant for renewal of that license.

(b) Longer than one year after expiration of the original license shall be required to make application using Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., and shall provide the information required pursuant to Rule 61D-14.005, F.A.C.

(6) Any business entity whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license shall be considered an initial slot machine occupational license applicant.
Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a) FS. History–New 6-25-06, Amended _____.

61D-14.010 Identification of the Occupational License Applicant.

Every applicant for a professional individual, general individual, or business employee slot machine occupational license shall establish his/her identity in one of the following ways:

(1) through (2)(a) No change.

(b) Current driver's license containing a photograph, name, signature, date of birth, sex, height, ~~color of eyes~~ and address of the applicant;

(c) through (e) No change.

(f) Current identification card issued by the Immigration and Naturalization Service containing a photograph or information about the name, date of birth, sex, height, ~~color of eyes~~ and address of the applicant; or

(g) A current foreign passport that is recognized by the Immigration and Customs Enforcement (ICE) ~~ICE~~ and contains a photograph of the applicant.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a), (d) FS. History–New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.007 follows. See Florida Administrative Code for present text.)

61D-14.007 Business Occupational License Requirements for an Independent Testing Laboratory.

(1) For purposes of this rule the term “direct interest”:

(a) Shall mean the owning or holding of capital stock or other ownership interest by the applicant for a business occupational license or by the applicant's officers, directors, managers, employees, or ownership interest holders in a slot machine licensee or manufacturer or distributor of slot machines, slot machine software, or slot machine parts as defined in Chapter 551, F.S.

(b) Shall not mean direct or indirect ownership or holding of an ownership interest, however evidenced, in a publicly or privately held mutual fund, equity investment fund, or other similar investment vehicle that owns or holds an ownership interest in any of the licensed entities referred to in paragraph (1)(a), provided that:

1. The ownership interest such investment vehicle has in any of the entities or type of entities referred to in paragraph (1)(a), when considered separately, is less than five percent of the gross asset value of such investment vehicle; and

2. Investors in such investment vehicles acting individually have no control over management or investment decisions of the investment fund or similar investment vehicle.

(2) In addition to the requirements of Rule 61D-14.006, F.A.C., an applicant for a business occupational license as an independent testing laboratory to test and technically evaluate slot machines or facility based monitoring systems of a slot machine licensee shall meet the following criteria:

(a) Hold current licensure, current certification to test, or a current contract in good standing with a gaming regulator in at least five jurisdictions in which electronic gaming devices are authorized;

(b) Have no contract with a state or other gaming jurisdiction that has been cancelled, suspended, or not renewed for in any way failing to provide adequate testing of slot machines or facility based monitoring systems, or other similar systems for control of slot machine gaming; and

(c) Have no direct ownership interest, either by itself or by its officers, directors, managers, employees, or ownership interest holders in any of the following, nor shall any of the following own any interest in an applicant:

1. A slot machine licensee;

2. Any business owned by a slot machine licensee; and

3. A manufacturer or distributor of slot machines, slot machine software, or slot machine parts.

(3) An applicant for a license or renewal of such license as an independent testing laboratory of slot machines or any equipment necessary for the operation of slot machines shall include with its application an affidavit attesting that the applicant, its officers, directors, managers, and employees have no direct interest in:

(a) A slot machine licensee;

(b) Any business owned by a slot machine licensee; or

(c) A manufacturer or distributor of slot machines, slot machine software, or slot machine parts.

(4) An independent testing laboratory seeking a business occupational license or renewal shall provide the following information as part of its application:

(a) The name of each person employed or with whom it has a contract related to slot machine gaming; and

(b) The job title, license number, and state of licensure of each person listed.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (c), 551.107, 551.108 FS.

History– New 6-25-06, Amended _____.

61D-14.020 Excluded Persons.

(1) The slot machine licensee’s internal controls shall set forth the criteria for exclusion of individuals from the slot machine licensee’s facility.

(2)(1) Each slot machine licensee shall maintain a database of persons entitled “Exclusion List.” The Exclusion List shall contain information on:

(a) Persons ~~Who~~ the slot machine licensee has excluded from its facilities for a specific amount of time as determined by the licensee, including persons self-excluded as compulsive gamblers; and

(b) Persons ~~who that~~ have been excluded by a final order of the division or an emergency order of suspension or exclusion by the division pursuant to Section 120.60, F.S.

(3) The excluded person’s name shall be entered on each slot machine licensee’s Exclusion List, and each slot machine licensee shall make every reasonable effort to ensure that the listed individual is excluded from its facilities.

(4)(2) A slot machine licensee’s Exclusion List shall include the following information for each person listed: ~~A slot machine licensee database of excluded patrons shall include the following information for each excluded person:~~

(a) through (d) No change.

(e) If obtainable, a photograph, and the date of the photo or a photo taken by the slot machine licensee’s ~~eligible facility~~ surveillance department; ~~and~~

(f) A brief ~~explanation description~~ of why the person has been excluded; ~~and~~

(g) ~~The length of time of exclusion that includes the start date of exclusion.~~

(3) ~~A slot machine licensee shall exclude or eject any person that has been placed in its exclusion database.~~

~~(5)(4)~~ If the slot machine licensee withholds winnings from any excluded person, such withheld winnings shall be included in the slot machine licensee's revenues pursuant to subsection 61D-14.081(5), F.A.C.

~~(6)(5)~~ The slot machine licensee's agents or employees shall immediately inform the slot machine licensee's security department whenever an excluded person enters or attempts to enter, or is found present at a slot machine licensee's facility from which that person has been excluded. Whenever an excluded person enters or attempts to enter, or is upon the premises of a slot machine licensee, the slot machine licensee's agents or employees shall immediately inform the security department. The security department shall:

(a) through (c) No change.

~~(7)(6)~~ Permitting Catering to a person excluded by a final order of the division to remain at a slot machine licensed facility is a violation of these rules.

(8) If a slot machine licensee seeks to remove an individual from the Exclusion List, the licensee must notify the division at 1400 W. Commercial Blvd., Ft. Lauderdale, Fl. 33309, at least 14 days prior to the requested removal date. The request shall be delivered on the date of the request to the division. The slot machine licensee shall submit a request to the division that includes the following information on the individual the licensee seeks to remove from the Exclusion List:

(a) The full name and any aliases, if known, of the individual currently excluded from the facility;

(b) A description of the individual's physical appearance, including height, weight, type of build, color of hair and eyes, and other physical characteristics which would assist in the identification of the individual;

(c) The individual's date of birth;

(d) The date the individual was originally excluded;

(e) The original term of the individual's exclusion;

(f) If obtainable, a photograph, and the date of the photo;

(g) A brief description of why the individual was originally excluded from the slot machine licensee facility;
and

(h) A statement signed by the slot machine licensee president or general manager justifying removing the excluded individual from the slot machine licensee Exclusion List and stating that the slot machine licensee internal control requirements have been observed.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)~~(d)~~, (g), (i), 551.112, 551.118 FS. History–New 6-25-06, Amended _____.

61D-14.023 Slot Machine Base Doors and Compartments.

All slot machine external base cabinet doors shall be permanently sealed or locked. If the facility chooses to lock the external base cabinet door, the facility shall employ a keyed lock for that purpose. The following requirements shall apply to the slot machine's cabinetry.

(1) All external doors shall be locked and monitored by door access sensors, which shall have the ability to detect when a door is opened or moved from its fully closed and locked position and immediately:

(a) Report the door opened event to the slot machine by way of an error; and

(b) Notify the surveillance department of the door opening, which shall monitor and record all activities at that slot machine until such time as the incident has been satisfactorily resolved.

(2) A log of compartment door openings and closings shall be maintained inside the locked compartment of the slot machine. The log shall include the time and reason for the opening.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)~~(e)~~, (e), (i) FS. History–New 6-25-06, Amended _____.

61D-14.036 Slot Machine Tournament.

(1) A slot machine tournament is an organized event at which players have the opportunity to engage in competitive play against other players using slot machines the division has approved for that purpose.

(2) A slot machine licensee shall not operate a slot machine tournament unless it has submitted the following to the division at 1400 W. Commercial Blvd., Ft. Lauderdale, FL 33309, for approval in writing:

(a) Tournament rules of play consistent with Chapter 551, F.S.; and

(b) A floor plan of the location of the specific slot machines selected for tournament play within the gaming area.

(3) Any slot machine and associated slot machine component that is part of a slot machine tournament shall:

(a) Comply with the requirements of Chapter 551, F.S., and the administrative rules adopted pursuant to that chapter. However, the percentage requirements of Section 551.104(4)(j), F.S., and the percentage requirements of the rules adopted pursuant to Chapter 551, F.S., do not apply to tournament play.

(b) Be equipped with a program certified by an independent testing laboratory licensed by the state which allows for the tournament mode of play.

(c) Default to disabled for the tournament mode of play option for those machines selected for tournament play.

(d) Be enabled centrally or by a switch key (reset feature) and/or total replacement of the logic board with a certified tournament board if tournament is an option.

(4) A gaming device, while enabled for tournament play shall:

(a) Not accept credits from any source;

(b) Not pay out credits in any way;

(c) Use tournament credits only, which shall not have cash value;

(d) Not increment any mechanical or electro-mechanical meters; and

(e) Not communicate any accounting information to the facility based monitoring system.

(5) The facility based monitoring system shall:

(a) Logically remove all games enabled for tournament play from the normal recording sequence for reporting purposes; and

(b) Record each time a specific slot machine is used for tournament play.

(6) Tournament winnings shall not be deducted from net slot machine revenues or winnings of slot machine gaming.

(7) The slot machine licensee shall provide a report of electronic meter readings from its facility based monitoring system to the division for each of its slot machines designated for tournament play immediately before the tournament mode of play is:

(a) Enabled; and

(b) Disabled.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1) FS. History—New _____.

(Substantial rewording of Rule 61D-14.038 follows. See Florida Administrative Code for present text.)

61D-14.038 Percentage Payout and Odds.

(1) An independent test laboratory licensed by the state (laboratory) shall:

(a) Certify a slot machine game for play in Florida only when the manufacturer's Payout and Retention (PAR) sheet for that slot machine game indicates a probable minimum payout percentage of at least 85 percent of all credits played over the mathematical (lifetime) cycle of the game at a 95 percent level of confidence;

(b) Test each slot machine game independently to certify that the game meets the probable minimum payout indicated on the manufacturer's PAR sheet at a 99 percent level of confidence;

(c) Certify in writing to the Office of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Boulevard, Suite 165, Ft. Lauderdale, Florida 33309-3787:

1. The game's minimum and maximum theoretical payout percentage;

2. The game has been tested and meets the provisions of Chapter 551, F.S., and Chapter 61D-14, F.A.C.; and

3. The game performs as described in the manufacturer's PAR sheet.

(2) A slot machine game manufacturer or distributor shall provide a PAR sheet to the slot machine licensee and the division at the address in paragraph (1)(c) of this rule upon delivery of each slot machine game to a slot machine licensee in Florida. The volatility index for the game shall be reflected on each manufacturer's PAR sheet.

(3) Upon the alteration or revision of any previously certified game, the slot machine manufacturer shall submit the game to the laboratory which shall re-evaluate the minimum theoretical payout percentage and provide an amended report to the division complying with subsection (1) of this rule.

(4) Slot machine games used at Florida slot machine licensee facilities shall:

(a) Have a total payout over the cycle of both the bonus and non-bonus part of the game combined that conforms to the minimum theoretical payout percentage of 85 percent;

(b) Meet the minimum theoretical payout percentage of the game at all times pursuant to the reporting frequency required in subsection (5) of this rule; and

(c) Meet the minimum theoretical payout percentage of the game when playing at the lowest end of a non-linear paytable.

(5) The slot machine licensee shall create a quarterly report using the facility based monitoring system (FBMS), for each slot machine game offered for play during the quarter or any part of a quarter, that includes:

(a) The lifetime actual payout to the end of the respective quarter;

(b) The actual number of plays for the game's lifetime;

(c) The theoretical payout percentage; and

(d) The minimum number of handle pulls required to reach the minimum payout percentage as indicated on the PAR sheet.

(6) The quarterly report required by subsection (5) of this rule shall be filed with the division at the address in paragraph (1)(c) of this rule, electronically or in writing, for each of the following periods:

(a) January 1 through March 31;

(b) April 1 through June 30;

(c) July 1 through September 30; and

(d) October 1 through December 31.

(7) If the report required by subsection (5) of this rule shows that a slot machine game's actual payout is less than 85 percent and the game has surpassed the minimum number of handle pulls required to reach the minimum payout percentage as indicated on the PAR sheet for the slot machine, the slot machine licensee shall:

(a) Notify the division in writing of the identity of the slot machine game;

(b) Remove the game from play;

(c) Recompute the slot machine game payout percentage using the FBMS; and

(d) Determine whether the recomputation of the payout percentage reveals that the slot machine game falls within or outside of the volatility range.

(8) Based on the result of the recomputations required in subsection (6) of this rule, the slot machine licensee shall either:

(a) Return the slot machine game to play if the recomputed payout percentage is within the volatility range; or

(b) Contact an independent test laboratory licensed by the state to investigate the slot machine game if the recomputed payout percentage is not within the volatility range. The slot machine licensee shall require the laboratory to investigate the slot machine game's operation and provide the licensee with a written recomputation of the payout percentage and a determination that the slot machine game is operating within or outside of its volatility range.

(9) If, in two consecutive quarterly reports, a slot machine game fails to remain within its volatility range, the slot machine licensee shall remove the slot machine game from play until the slot machine game operating software program is replaced with an operating software program that meets the requirements of the testing in subsection (1) of this rule.

(10) Each slot machine licensee shall maintain records demonstrating:

(a) The quarterly report results required in subsection (5) of this rule for each slot machine game that has been placed on the gaming floor;

(b) The actual payout percentage for each slot machine game at the time of each quarterly report required in subsection (5) of this rule;

(c) The recomputed payout percentage for each slot machine game and whether the payout percentage is within its volatility range; and

(d) Any record regarding software operating programs were replaced pursuant to subsection (8) of this rule.

(11) The records generated under this rule shall be maintained consistent with Rule 61D-14.080, F.A.C. Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (h) FS. History--New 6-25-06, Amended _____.

61D-14.041 Randomness Requirements and Game Play Auditing.

(1) Each slot machine shall ~~use~~ utilize an internal random number generator (RNG). The RNG shall ~~comply~~ with the following standards:

(a) ~~Be~~ The RNG shall be statistically independent from any other device;

(b) ~~Conform~~ The RNG shall conform to the random distribution values specified in the slot machine's PAR sheet;

(c) Pass statistical tests such as the chi-squared test or random distribution analysis test;

(d) ~~Cycle~~ Be cycled continuously in the background between games and during game play;

(e) Randomly determine the first seed number;

(f) Use a method of re-scaling that permits all numbers within the lower range to be equally probable if ~~If~~ a function of a slot machine requires a random number to be generated with a smaller range than that provided by the slot machine's RNG, the method of re-scaling shall be designed in such a way that all numbers within the lower range are equally probable; and

(g) Re-scale values using a method such as discarding that random number and selecting the next in sequence if ~~If~~ a particular random number selected is outside the range of equal distribution of re-scaling values, it is permissible to re-scale using a method such as discarding that random number and selecting the next in sequence.

(2) through (3) No change.

(4) For purposes of this rule “false hope” or “extra visual encouragement” or “subliminal message” is defined as: The slot machine shall not make a variable secondary decision after selection of the game outcome. The slot machine shall not make a display that indicates the patron is getting close to a win or that the chance to win is improved by another play.

(a) Any system representation of a letter, word, message, symbol, sign, or gaming outcome that can not be seen by the naked eye alone that may encourage continued slot machine play; or

(b) Any letter, word, message, symbol, sign, or gaming outcome that may be detected scientifically through slow motion execution of the program in a frame-by-frame analysis revealing a letter, word, message, symbol, sign, or gaming outcome that is otherwise not immediately discernable by the naked eye during credit play.

(5) No slot machine authorized for play in Florida shall (after selection of the game outcome) display:

(a) Any letter, word, message, symbol, sign, or gaming outcome, however briefly, that constitutes false hope or extra visual encouragement or subliminal message of any nature; or

(b) A variable secondary decision after the selection of the game outcome; or

(c) Any letter, word, message, symbol, or sign that indicates the patron is getting close to a win or that the chance to win is improved by another play.

(6) Prior to submitting a game to an independent test laboratory licensed by the state (laboratory) for examination, the manufacturer and/or distributor seeking certification of the machine and/or game shall provide written certification to the laboratory as part of the final game approval documentation that the manufacturer and/or distributor has:

(a) Performed a line-by-line review of all source code not previously certified for use in Florida;

(b) Ensured that the code provides the reviewer with accurate descriptive labeling, header comment blocks, and lists of subroutines sufficient to permit thorough review and analysis;

(c) Certified to the laboratory that all code modules are directly and actively related to the audio and video conduct of game play, record retention, monitoring system operation and/or troubleshooting;

(d) Certified that the game does not violate any of the language in Rule 61D-14.041, F.A.C., and that the game does not display any letter, word, message, sign, symbol, or gaming outcome, however briefly, which constitutes false hope or extra visual encouragement to continue play, or subliminal message of any nature.

(7) As part of the final certification to the division, the laboratory shall provide written certification as part of the final game testing documentation attesting to the fact that as part of its examination of the machine and/or game for compliance with Florida Statutes, the laboratory has:

(a) Performed a line-by-line review of the source code;

(b) Found that the code provides the laboratory with accurate descriptive labeling, header comment blocks, and lists of subroutines sufficient to permit thorough review and analysis;

(c) Certified that all code modules are directly and actively related to the audio and video conduct of game play, record retention, monitoring system operation and/or troubleshooting;

(d) Not found any unused or unexplained code modules present during the laboratory examination; and

(e) Certified that the machine and/or game complies with the language in Rule 61D-14.041, F.A.C., does not display any letter, word, message, symbol, sign, or gaming outcome, however briefly, which constitutes false hope, extra visual encouragement to continue play, or a subliminal message of any nature.

(8) The laboratory shall include a copy of each of the certifications required under this rule as part of the formal approval documentation certifying the machine and/or game for play in Florida to the division.

(9) Any misstatements, omissions or errors in the required certification provided by either the laboratory or the manufacturer and/or distributor is a violation of rules governing slot machine gaming.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), ~~(d)~~, (e), (g) FS. History--New 7-5-06, Amended _____.

61D-14.042 Accounting and Occurrence Meter Specifications.

(1) through (2)(a) No change.

(b) The number reflecting the amounts won or the award reflected on the credit out meter shall cumulatively count all amounts the player has won by the player at the end of the game that were not paid by an attendant, including amounts paid by a ticket printer. The credit out This meter shall not increment for bills inserted and cashed out to allow the slot machine to be used as a change machine. In those cases where amounts awarded are included on separate meters, the metering requirements for the credit out meter can be met by summing the number reflected on the credit out and machine paid external bonus payout meter;

(c) The drop meter shall maintain a cumulative count of the credit value of all bills and tickets inserted into the bill acceptor and Advanced Funds Transfer as identified in Rule 61D-14.078, F.A.C., processed for play;

(d) through (3)(a) No change.

(b) A slot machine cabinet door meter shall display the number of times the slot machine main front cabinet door was opened since the last RAM clear; and

(c) The slot machine shall show the time of the most recent bill acceptor door opening drop door meter shall display the number of times the drop door and the bill acceptor door was opened since the last RAM clear.

(4) through (6) No change.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g) FS. History--New 7-30-06, Amended _____.

(Substantial rewording of Rule 61D-14.044 follows. See Florida Administrative Code for present text.)

61D-14.044 Identification of Program Storage Media, and Slot Machine Technical Requirements.

(1) All program storage media, both writable or non-writable, including EPROMs, Digital Versatile Disc (DVD), Compact Disk – Read Only Memory (CD-ROM), and any other type of program storage devices shall:

(a) Be marked with information to identify the software and revision level of the information stored in the devices;

(b) Only be accessible with access to the locked logic compartment; and

(c) Have a method that shall require display of the program storage media identification information on the slot machine if the program is copied to and executed from Random Access Memory (RAM).

(2) Read Only Memory (ROM) program storage media shall not be re-writable and shall be finalized and closed to prevent further writing.

(3) For non-EPROM based media, the control program shall authenticate all files that are critical to the accurate operation of the slot machine (“critical files”) by employing a hashing algorithm which produces a “message digest” output of a minimum of 128 bits.

(4) For EPROM based media, the control program shall test for possible corruption. The control program may use a Checksum or a Cyclic Redundancy Check (CRC) minimum of 16-bit or equivalent for that test.

(5) The slot machine shall authenticate all critical files against the stored message digest(s), as required in subsection (3), above. In the event of a failed authentication after the slot machine has been powered up, the slot machine shall:

(a) Immediately enter an error condition;

(b) Illuminate its tower light when one is present; and

(c) Cease operation.

(6) Slot machine authentication failure shall:

(a) Require a supervisor's intervention and authorization to correct;

(b) Be recorded in an error correction log that shall:

1. Be maintained in each slot machine;

2. Be maintained as a permanent record of program changes and error corrections for the specifically numbered slot machine;

3. Include the details of each failed authentication and corrective action; and

4. Include the date and time of a failure, and date and time of the corrective action.

(7) For writable program storage the following requirements apply to the programs residing in the slot machine that are capable of being erased and reprogrammed without being removed from the slot machine, bill changer, or other equipment or related devices:

(a) Re-writable program storage shall only be written to in cases where the media contains only data, files, and programs that are not critical to the basic operation of the game, such as marketing information.

(b) Notwithstanding the foregoing, such device may write to media containing critical data, files, and programs provided that the gaming equipment:

1. Properly maintains a log of all information added, deleted, and modified that is stored on the media;

2. Maintains a control program that verifies the validity of all data, files, and programs which reside on the media using the methods listed in subsection (3), non-EPROM specific requirements;

3. Contains appropriate security to prevent unauthorized modifications; and

4. Prohibits game play while the media containing the critical data, files, and programs are in a modifiable state.

(8) Slot machine component integrity checks shall:

(a) Occur:

1. The first time program files are loaded for use; and

2. During the use of components critical to the slot machine's operation.

(b) Not occur:

1. For RAM; and

2. Program storage device space that is not critical to the slot machine security.

(9) Critical files shall be authenticated during each slot machine start-up and restart.

(10) The authentication methodology shall detect 99.99 percent of all possible failures. All critical memory shall:

(a) Have the ability to retain data for a minimum of thirty (30) days after power is removed from the slot machine. If a rechargeable battery is used, the battery used to retain power shall recharge itself to its full potential in a maximum of twenty-four (24) hours. The shelf life of the battery used shall be at least five (5) years;

(b) Be cleared only in accordance with the slot machine licensee's internal controls;

(c) Provide a RAM error message, if the control program detects an unrecoverable memory error; and

(d) Not be cleared automatically, but shall require division approval of and presence for a full RAM clear that is performed by a slot machine lead technician or a more senior employee.

(11) A RAM clear shall only be authorized for the following:

(a) A slot machine malfunction that results in an unrecoverable memory error;

(b) An EPROM chip failure;

(c) A modification to the slot machine's program; and

(d) Troubleshooting the system for possible RAM failure.

(12) No RAM clear procedure shall be performed without prior division approval and division presence for the RAM clear procedure.

(13) Following the initiation of a RAM clear procedure, the slot machine's control program shall execute a routine that initializes all data in RAM to the default state, except those portions of RAM that are critical to the operation of the slot machine. The default reel position or game display after a RAM clear shall not indicate the top award on any selectable line. The default game display, upon entering game play mode, shall also not display the top award.

(14) Slot machines shall be capable of detecting and displaying error conditions and illuminating the tower light for each slot machine in those cases where such a light is available. Upon detection of error conditions, a slot machine shall disable play, and the slot machine and/or the facility based monitoring system (FBMS) shall maintain an internal record if the error is for:

(a) Loss of communication with the FBMS for longer than 90 minutes;

(b) Low RAM battery, for batteries external to the RAM itself, or low power source;

(c) Currency-in jam;

(d) Program error or authentication mismatch;

(e) Door open, including bill acceptor;

(f) Reel spin errors:

1. The specific reel number shall be identified in the error code;

2. The final positioning of the reel, if the final indexed position error exceeds one-half of the width of the smallest symbol on the reel strip; and

3. Malfunctions such as a reel which is jammed, or is not spinning freely, or any attempt to manipulate their final resting position;

(g) Power reset;

(h) Out-of-paper;

(i) Printer jam;

(j) Printer failure; and

(k) Printer disconnected.

(15) The slot machine licensee shall:

(a) Establish procedures within its internal controls to ensure that:

1. The FBMS shall alert the FBMS supervisor when communication has been lost between a slot machine and the FBMS.

2. If communication to a slot machine is lost:

a. The FBMS supervisor is responsible for monitoring the play of the slot machine with which communication has been lost;

b. Within 90 minutes of the loss of communication:

(I) The facility shall restore communication between the slot machine and the FBMS; or

(II) The FBMS supervisor shall terminate play on each slot machine with which communication has not been restored no later than 90 minutes from the time communication was originally lost.

(b) Maintain either a manual or FBMS record of all communication failures, which contains the date and time of the communication failure and resolution of that failure.

(16) A slot machine that has authentication or RAM or ROM errors shall:

(a) Cease operation;

(b) Automatically set to the disabled mode of operation; and

(c) Automatically light its tower or similar light, if the machine has such.

(17) A description of slot machine error codes and their meanings shall be affixed inside the slot machine.

However, this subsection does not apply to video-based games that shall display text messages for error conditions on the game console.

(18) The software shall be able to recover to the state it was in immediately prior to the occurrence of a program interruption. Communications to an external device shall not begin until the program resumption routine is completed, and:

(a) Upon restoration of power to the slot machine:

1. The previous error message shall be displayed and the slot machine shall remain locked-up if a slot machine is powered down while in an error condition; or

2. The previous error message shall not be displayed if:

a. The power down is used as part of the error reset procedure; or

b. Upon power up or door closure, the slot machine checks for the error condition and detects that the error condition no longer exists.

(b) Upon resumption of the slot machine's control program, the following procedures shall be performed:

1. Slot machine control programs shall test themselves for possible corruption due to failure of the program storage media; and

2. Mechanical displays shall re-spin automatically to display the last valid game's result when the play mode is re-entered, and the reel positions have been altered.

(19) The slot machine's main door shall affect game play in the following ways:

(a) When the slot machine's main door is opened, the slot machine shall:

1. Cease game play;

2. Enter an error condition;

3. Display an error message;

4. Disable bill acceptance; and

5. Illuminate the tower light when one is available.

(b) When the slot machine's main door is closed, the slot machine shall:

1. Return to its original state in the game; and

2. Display an error message, until the next game has ended.

(c) The software shall detect any access to the following doors or secure areas:

1. External doors;

2. Drop box door; and

3. Bill acceptor door.

(20) Each slot machine and/or bill acceptor shall detect and display an error condition and the bill acceptor shall be disabled for the following conditions:

(a) Bill stacker full;

(b) Bill jams;

(c) Bill acceptor door open; and

(d) Bill stacker door open or bill stacker removed.

(Substantial rewording of Rule 61D-14.047 follows. See Florida Administrative Code for present text.)

61D-14.047 Facility Based Monitoring System and Computer Diagnostics.

(1) The facility based monitoring system's slot machine communication protocol shall have the ability to immediately act upon commands received from the facility based monitoring system (FBMS), which provide:

(a) The ability to suspend play on a slot machine;

(b) Daily reports of events; and

(c) Reports providing:

1. All accounting data contained in the FBMS;

2. Information on individual events and transactions contained in the FBMS; and

3. The history of a specific slot machine transaction contained in the FBMS.

(2) The FBMS shall:

(a) Capture all information required for tickets enumerated in subsection 61D-14.040(2), F.A.C.;

(b) Not permit a configuration setting change that causes an obstruction or interruption to the electronic accounting meters, affect the integrity of the slot machine, or communications without a RAM clear as provided in subsection 61D-14.044(8), F.A.C.

(3) For the purposes of this rule, an interface element is any system component external to the operation of a slot machine that assists in the collection and processing of data sent to the FBMS. All interface elements shall:

(a) Be installed in a locked area;

(b) Maintain separate electronic meters that shall allow for review on demand at the interface element level;

(c) Retain the required information after a power loss for at least 72 hours;

(d) Provide a means to preserve all meter information required by Rule 61D-14.042, F.A.C., and event information required by Rule 61D-14.046, F.A.C., until it is communicated to the FBMS; and

(e) Allow for the association of a slot machine asset number used in conjunction with a slot machine file on the FBMS. The slot machine asset number shall be used by the FBMS to:

1. Track all information regarding an individual slot machine; and

2. Identify only one slot machine in the FBMS.

(4) An interface element that serves as a data collector for the FBMS shall:

(a) Provide an error detection and correction scheme to ensure an accuracy of 99 percent or better of messages received; and

(b) Encrypt all accounting data communications.

(5) Each system critical to the operation of the slot machine's interface element and the FBMS shall be tested to verify that it performs within its manufactured design specifications. Each system shall be tested:

(a) Under controlled laboratory conditions prior to installation at a slot machine licensed facility; and

(b) At the installation site (a slot machine licensed facility) upon the initial installation of the system to ensure proper configuration of the equipment and installation of the security applications.

(6) The FBMS shall maintain an internal master clock that reflects time in 24-hour format and data that shall be used to provide:

(a) Time stamp of events;

(b) Reference clock for reporting; and

(c) Updated clocks in the system servers, networked systems, or distributed systems.

(7) The FBMS shall:

(a) Not permit the alteration of any accounting or event log information without the approval of a supervisor;

(b) Create an audit log for any alterations of any accounting or event log information. The audit log must include at least:

1. The name of the data element altered;
2. The value of the data element:
 - a. Prior to data alteration; and
 - b. After data alteration.
3. The time and date of alteration for each data element alteration event; and
4. The identification of:
 - a. The individual who performed the alteration; and
 - b. The supervisor approving the alteration.

(8) The FBMS shall provide:

- (a) Redundant copies of each log file or system database or both; and
- (b) Open support for backups and restoration of each log file or system database.

(9) The data contained in the FBMS shall be backed-up or saved daily in some form of back-up data records maintained on removable computer storage media. The back-up data records shall be sufficient to reconstruct the entire day's activity.

(a) In addition to the requirements of Rule 61D-14.080, F.A.C., a ready copy of the back-up data records shall be stored for a minimum of 120 days secured in an industry standard two-hour fire and water resistant storage device either on-site or at an off-site location.

(b) The slot machine licensee shall provide the contact information, address, and telephone number of each off-site storage location to the division when:

1. The off-site location is first used for storage; and
2. Each time a new off-site location is used or an off-site location is changed.

(c) Off-site storage contact information should be sent to the Office of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Boulevard, Suite 165, Ft. Lauderdale, Florida 33309-3787.

(10) The FBMS shall only be reloaded using data contained in the most recent complete back-up data records that contains at least:

- (a) An events log;
- (b) All accounting information;
- (c) All auditing information; and
- (d) Specific site information such as device file or employee file.

(11) The FBMS shall:

- (a) Implement self-monitoring for all interface elements;
- (b) Notify the system administrator of any error condition;
- (c) Monitor the operation of each slot machine in real-time;
- (d) Retrieve all financial accounting information for each slot machine on a daily basis;
- (e) Report all events in real-time; and

(f) Employ security systems, support measures, or networks to ensure that there is no alteration of any information as it is being communicated from a slot machine to the FBMS.

(12) A slot machine shall not be enabled to play following the receipt of any error listed in subsection 61D-14.044(14), F.A.C., until the control program is authenticated.

(13) The FBMS shall collect and store the following information from each slot machine:

- (a) Total credits-in;
- (b) Total credits-out;
- (c) Total value of all bills, tickets, and vouchers collected by the slot machine;
- (d) Total value of all handpays;
- (e) Cancelled unpaid credits;
- (f) Total monetary value of all bills accepted;
- (g) Total number of each type of bill accepted by denomination;
- (h) Games played;
- (i) Cabinet door openings;
- (j) Drop door openings;
- (k) Total monetary value of all tickets accepted; and
- (l) Total monetary value of all tickets produced.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(~~d~~), (e), (~~g~~) (i), 551.104(4)(f) FS. History– New 8-13-06, Amended _____.

61D-14.053 Key Controls.

(1) through (2)(c) No change.

(d) Areas in which slot cash storage boxes are located; ~~and~~

(e) Compartments housing microprocessors in any slot machine; ~~and-~~

(f) Containers holding the master key for each slot machine Central Processing Unit (CPU).

(3) No change.

(4) Each slot machine licensee shall implement a log system. The log system shall document access to any secure key that the security department controls and shall include the following information: that requires documentation of access to any secure key that shall include without limitation:

(a) The pre-designated key number name and occupational license number of the employee signing out the key;

(b) The date and time the key was signed out from the security department; and

(c) The name and occupational license number of the employee signing out the key;

(d) The name and occupational license number of the security person escorting the employee with the key to the secure area as a second signature signing out the key;

(e) The name and occupational license number of the security person issuing the key;

(f) The name and occupational license number of the employee and security person, providing the escort, returning the key; and

(g)(~~e~~) The date and time the key was returned to the security department.

(5) Each slot machine licensee shall implement measures in their internal control procedures for:

(a) Addressing missing, lost, and stolen keys;

(b) Issuing replacement keys; and

(c) Destruction of keys.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(b), (e), (g), (i), 551.104(4)(h) FS. History– New 6-25-06, Amended _____.

61D-14.063 Count Rooms.

(1) through (2)(a)2. No change.

(b) Tables ~~shall be~~ constructed of clear lexan or similar material;

(c) No change.

(d) A fixed door type or hand-held metal detector which shall be used in accordance with the facility internal control procedures to inspect all persons exiting the count room.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), (i) FS. History--New 6-25-06, Amended _____.

(Substantial rewording of Rule 61D-14.075 follows. See Florida Administrative Code for present text.)

61D-14.075 ~~Jackpot and Credit Meter~~ Payouts Not Paid Directly From the Slot Machine.

(1) A slot machine licensee employee shall complete a manual or system generated jackpot payout slip whenever a patron wins a jackpot that is not automatically paid directly from the slot machine.

(2) Jackpot payout slips shall be:

(a) Consecutively numbered;

(b) Used in sequential order; and

(c) Controlled as follows:

1. Manual jackpot payout slips shall be consecutively prenumbered forms;

2. Jackpot payout slips created by the facility based monitoring system shall be printed with consecutive numbering;

3. Employees not assigned to duties in either the cashier's cage or the slot department shall document each series of jackpot payout slips the slot machine licensee receives;

4. All void original and duplicate jackpot payout slips shall be:

a. Marked "void"; and

b. Signed by the preparer and a slot attendant or supervisor.

(3) Each series of manual jackpot payout slips shall be a three-part form that is:

(a) Inserted in a locked jackpot payout dispenser system. The jackpot payout dispenser system shall:

1. Permit all three parts of individual jackpot payout slips in the series to be written upon simultaneously while still in the dispenser; and

2. Discharge the original and duplicate jackpot payout slips while the triplicate jackpot payout slip remains in a continuous unbroken form in the jackpot payout dispenser system;

(b) Maintained so that only those employees identified in subparagraph (2)(c)3. of this rule:

1. Control and account for the unused supply of jackpot payout slips;

2. Place all jackpot payout slips in the locked jackpot payout dispenser system;

3. Remove the triplicate copies of those jackpot payout slips issued from the locked jackpot payout dispenser system; and

4. Control access to the triplicate copy of the jackpot payout slips at all times.

(4) Each series of computer prepared jackpot payout slips shall be a two-part form that is:

(a) Inserted in a printer and printed simultaneously in original and duplicate; and

(b) Printed from information that is securely stored in the facility based monitoring system and cannot be altered or removed after the jackpot payout slip is printed.

(5) The following information shall be included on every jackpot payout slip and in all jackpot payout slip stored data:

(a) The asset number of the slot machine on which the jackpot was registered;

(b) The total amount of the jackpot;

(c) The winning combination of reel characters constituting the jackpot;

(d) The date and time the jackpot occurred;

(e) The amount to be paid from the cashier's cage; and

(f) The time of preparation of the jackpot payout form.

(6) For all jackpots equal to or in excess of \$10,000, the slot machine licensee shall disburse payment only from the cashier's cage directly to:

1. The patron; or

2. A slot machine licensee employee assigned to a supervisor's position who shall transport the winnings from the cashier's cage directly to the patron.

(7) Certification of the accuracy of the information contained on the original and duplicate of the jackpot payout slip shall be provided by:

(a) The cashier/slot personnel who prepared the jackpot payout slip and a slot supervisor who observed the reel characters of the slot machine who shall sign the jackpot payout form; and

(b) Where the jackpot is equal to or in excess of \$10,000, a manager and a member of the security department who shall also sign the jackpot payout form in addition to the signatures required under paragraph (7)(a).

(8) The original jackpot payout slip shall be forwarded to the accounting department for:

(a) Reconciliation with:

1. The triplicate of the manual jackpot payout slip; or

2. The data stored on the facility based monitoring system for all computer prepared jackpot payout slips;

(b) Recording on the slot win sheet;

(c) Reconciliation with the meter reading recorded on the slot meter sheet.

(9) Prior to payment of a slot jackpot of \$25,000 or more, the slot machine licensee shall conduct a verification check of the game. The game verification check shall:

(a) Be completed by two slot machine licensee employees, at least one of whom shall be in a supervisor's position. The two slot machine licensee employees shall be:

1. In possession of a valid slot machine occupational license issued by the state; and

2. Assigned to different departments.

(b) Confirm the condition of the division security tape on the slot machine involved in the jackpot.

1. If the division security tape is not broken, the slot machine licensee shall complete its payment procedure as outlined in its internal control procedures.

2. If the division security tape is found to have been broken or tampered with, the following shall be accomplished:

a. The slot machine licensee shall notify the surveillance department to provide coverage of the slot machine area involved; remove the designated slot machine involved in the jackpot from play; retain all surveillance records regarding the designated slot machine; notify FDLE of the jackpot and broken or tampered division security tape; and secure the designated slot machine until such time as the FDLE investigator may make a determination regarding the jackpot;

b. An FDLE and division representative shall conduct an investigation, including a verification check of game-related storage media and obtain confirmation that all documents are complete and legible;

c. The division shall use a verification device that is approved by the division for testing slot machines for compliance with Chapter 551, F.S., and Chapter 61D-14, F.A.C.; and

d. If the test results from the verification device reflect that:

(I) The program in the slot machine is an authorized version for play in the State of Florida, the slot machine licensee shall proceed with its jackpot payout procedures as outlined in its internal control procedures; or

(II) The program in the slot machine is not an authorized version for play in the State of Florida, the jackpot shall be held in abeyance for further investigation.

e. If a jackpot is held in abeyance for further investigation, the designated slot machine and all jackpot records and surveillance information shall be retained until an investigation is completed. A jackpot payment decision shall be made based upon the outcome of the investigation.

(10) The accounting department shall verify that all jackpot payouts are in compliance with Chapter 61D-14, F.A.C.

(11) When a non-cash prize is offered as a slot machine jackpot or payout for winnings, the slot machine licensee shall:

(a) Make an equivalent cash option available to the patron.

(b) Use the amount of the equivalent cash option in calculation of slot machine revenues.

(c) Include all details of each cash/prize jackpot option transaction on Form DBPR PMW-3680, Slot Jackpot Prize/Cash Option Report, which is adopted and incorporated by Rule 61D-15.001, F.A.C.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (g), (i) FS. History—New 6-25-06, Amended _____.

61D-14.079 Resolution of Jackpot Disputes.

(1) A slot machine licensee's internal controls, required pursuant to Rule 61D-14.058, F.A.C., shall include written procedures outlining how the slot machine licensee shall resolve jackpot disputes.

(2) A patron shall report a jackpot dispute to the slot machine licensee responsible for the operation and management of the slot machine licensed facility.

(3) Whenever a patron reports a jackpot dispute, the following shall occur:

(a) In those instances in which the jackpot amount is \$25,000 or more, the slot machine licensee shall resolve the dispute pursuant to its internal controls and immediately:

1. Notify the Office of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Boulevard, Suite 165, Ft. Lauderdale, Florida 33309-3787, of the jackpot dispute and that the slot machine licensee is preserving evidence to resolve the jackpot dispute which evidence shall include:

a. Surveillance information of the designated slot machine;

b. Records for the designated slot machine;

c. Facility based monitoring system records, and

d. Witness statements.

2. Notify the surveillance department to provide surveillance recordings made at the time of the jackpot and subsequent jackpot dispute for the slot machine area involved in the jackpot dispute;

3. Notify an independent testing laboratory licensed by the State of Florida of the jackpot dispute and make arrangements for analysis and assessment of the slot machine and slot machine game in question;

4. Seal the slot machine and remove it from play until the dispute is resolved;

5. Obtain witness statements regarding the dispute; and

6. Establish an investigation file for the dispute.

(b) In those instances in which the jackpot dispute is less than \$25,000, the licensee shall resolve the jackpot dispute according to its approved internal controls.

(4) The licensee shall maintain all dispute resolution files for division review and retain the files pursuant to Rule 61D-14.080, F.A.C.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (i) FS. History–New _____.

(Substantial rewording of Rule 61D-14.087 follows. See Florida Administrative Code for present text.)

61D-14.087 Variance Reports and Response to Division Reports and Audits.

(1) Each slot machine licensee shall provide a written variance report (report) for any variance in financial reporting or accounting detected during daily operations at a facility to the division at 1400 W. Commercial Blvd., Ft. Lauderdale, FL 33309. For purposes of this rule, a variance is defined as the difference between the amount reported in a specific category on the slot machine licensee’s initial report to the division and the slot machine licensee’s final report for a designated business day. The following requirements apply to this report:

(a) The report shall be submitted no later than 48 hours after identification of a variance or at the end of the next business day if the variance is identified on a weekend;

(b) The report shall provide details of the variance in narrative form. The report shall also cite the numeric readings from the meters or other accounting equipment found to be out of agreement within the facility based monitoring system and associated facility management systems;

(c) The report shall include a statement of corrective action indicating what action was taken or will be taken, what systems or records were or will be updated, and a certification that the correction will be part of the end-of-month revenue report to the division.

(d) The report shall include a proposed date of correction in those instances where the corrective action will occur subsequent to the report required by this rule. The slot machine licensee shall submit a follow-up report to the division whenever corrective action occurs subsequent to the report. The follow-up report shall indicate what action was taken, what systems or records were updated and a certification that the correction will be part of the end-of-month revenue report to the division.

(2) A slot machine licensee or occupational licensee shall provide a written response to the division within:

(a) Five business days from the date of receipt of a written request from the division for information or corrective action; or

(b) Thirty (30) calendar days from:

1. The date a slot machine licensee conducts an audit and finds deficiencies requiring corrective action; or

2. The date the division or an independent auditor conducts an audit and finds deficiencies requiring corrective action.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), 551.104(8) FS. History–New 6-25-06, Amended _____.

61D-14.096 Requirement for Shipment of All Slot Machines and Slot Machine Components.

(1) This rule applies to the shipment of any slot machine or slot machine component as defined in Chapter 551, F.S., whether the item or items are being shipped into, out of, or within the State of Florida to a:

(a) Licensed pari-mutuel slot machine facility;

(b) Designated DBPR or FDLE training site;

(c) Certified educational institution;

(d) Licensed slot machine manufacturer’s or distributor’s slot machine storage and maintenance facility; or

(e) Out-of-state location.

(2) The information and material required to request shipment of any slot machine or slot machine component shall include the following:

(a) The submission of a completed paper or electronic Form DBPR PMW-3900, Slot Machine and Component Application for Shipment, and Form DBPR PMW-3910, Slot Machine and Component Application Shipment Record, both adopted and incorporated by Rule 61D-15.001, F.A.C., to the Chief of Slot Operations; and

(b) A pre-certification that equipment being proposed for shipment into the state for use at locations designated in paragraphs (1)(a) through (d) meet all requirements for slot machines and slot machine components in the State of Florida.

(3) Shipment of any slot machine or slot machine component shall comply with the following requirements:

(a) No slot machine or slot machine component that will be shipped through the state pursuant to the requirements of Chapter 551, F.S., can be shipped until the Chief of Slot Operations or his or her designee provides formal signed approval for that shipment. The division shall provide written approval to the shipper by hand-delivery, mail or electronic means such as email or FAX.

(b) All slot machine shipments shall be scheduled to permit the Chief of Slot Operations or his or her designee to be present upon arrival of the shipment at the approved destination in Florida:

(c) All slot machines and slot machine components must be shipped in the following manner:

1. For purposes of this rule, the term "shipping seal" shall mean a material of some description (generally a large paper patch with adhesive backing) applied across a closed door or closed container top. The shipping seal shall be applied in such a fashion that should the door or container be opened, the shipping seal must be broken or damaged. A broken shipping seal shall indicate the door or container has been opened.

2. All slot machine and slot machine components shall be transported in container, compartment, or freight trailer that has been secured and bears a shipping seal.

3. All central processing unit (CPU) main boards and erasable programmable read-only memory (EPROM) units shall be delivered separately or encased in a separate compartment within a larger freight compartment or freight trailer. Each compartment shall bear a shipping seal. The required shipping seal shall be applied at the shipper's point of origin. Alternatively, the slot machine or slot machine component may be shipped intact with the logic compartment locked and rendered inoperable so long as the key to such lock is shipped separately from the slot machine or slot machine component.

4. All shipment containers must have a shipping seal applied at the shipper's point of origin. The shipping seal shall remain intact until inspected and accepted by the Chief of Slot Operations or his or her designee, at which time the seal shall be broken by Slot Operations representatives.

a. Where equipment is shipped in vehicle freight trailers (when an entire freight trailer is used for shipment), the shipper shall affix a shipping seal across the center of each of the trailer's exterior doors so that should the door be opened, the shipping seal would be broken. Additionally, the shipper shall also apply a shipping seal to each individual packing box comprising the shipment. Shipping seals applied by the shipper must not be broken or removed until delivery and inspection by the Chief of Slot Operations or his or her designee at the approved destination in Florida.

b. For those shipments not using an entire vehicle or freight trailer, shippers shall apply a shipping seal to each individual package, and the shipment seals shall not be broken or removed until delivery and inspection by the Chief of Slot Operations or his or her designee at the approved destination in Florida.

(d) All software components shall be delivered to the division regional office at 1400 W. Commercial Blvd., Ft. Lauderdale, FL 33309, for verification and subsequently scheduled by division personnel for delivery to the appropriate facility.

(e) If shipping seals described above are broken, removed, or show signs of tampering, upon inspection at the delivery site, the Chief of Slot Operations or his or her designee shall instruct the facility and shipper as to the course of action to be taken. The course of action may involve:

1. Retesting and verification of the slot machine or slot machine component; or
2. Immediate refusal of the entire shipment and the return of the entire shipment to the originating shipment location and notification to FDLE.

(4) Shippers shall retain all records associated with the shipment of all slot machine and slot machine components pursuant to Rule 61D-14.080, F.A.C.

Rulemaking Authority 551.103(1), 551.109(2)(a), (b), 551.122 FS. Law Implemented 551.103(1)(c), (e), (i), 551.109(2)(a), (b) FS. History—New _____.

61D-14.097 Responsibility for Control of Slot Machine or Slot Machine Component Shipment.

(1) Manufacturers and distributors must be licensed pursuant to Chapter 551, F.S., in order to request the shipment, or receipt of slot machines or slot machine components into, out of, and within the State of Florida at a location identified in subsection 61D-14.096(1), F.A.C.

(2) Licensed manufacturers and distributors must request approval from the Chief of Slot Operations or his or her designee for shipment into, out of, or within the State of Florida at least five days in advance of the proposed shipment date to or from an approved destination in Florida.

(3) Entities identified in subsection 61D-14.096(1), F.A.C., (entity) shall take the following actions to arrange a shipment of a slot machine or slot machine component to a facility licensed pursuant to Chapter 551, F.S., into or within the State of Florida. The entity shall:

(a) Notify the Chief of Slot Operations no later than five days in advance of the date of the proposed shipment of any slot machine or slot machine component as defined in Chapter 551, F.S.;

(b) Confirm the slot machine or slot machine component complies with the requirements of Rule 61D-14.022, F.A.C., prior to requesting shipment to an approved location within the State of Florida;

(c) Coordinate a mutually acceptable delivery date and time for the Chief of Slot Operations or his or her designee to accept delivery or be present for the packing of the slot machine or slot machine component pursuant to Rule 61D-14.096, F.A.C.; and

(d) Obtain approval of changes to a floor plan pursuant to Rule 61D-14.050, F.A.C., in those cases where an approved floor plan exists or is required at the entity's location.

(4) Slot machine licensees shall follow additional procedures that are required for making requests for shipment of a slot machine or slot machine component out of the State of Florida. The slot machine licensee shall:

(a) Notify the Chief of Slot Operations no later than five days in advance of the date of the proposed shipment of any slot machine or component as defined in Chapter 551, F.S., out of the State of Florida.

(b) Coordinate the shipment date and time for the Chief of Slot Operations or his or her designee to attend the packing, sealing, and shipment of the material proposed for shipment.

(c) Obtain adjustments and approval of any facility floor plan pursuant to Rule 61D-14.050, F.A.C.

(d) Within 10 days of the shipment, provide the Chief of Slot Operations a copy of a confirmation notice executed by the out-of-state recipient that the shipment was physically received at the out-of-state destination.

(5) The following applies to the shipment of slot machine or slot machine components within or out of the State of Florida for which an entity identified in subsection 61D-14.096(1), F.A.C., intends to achieve permanent divestiture of ownership. The entity shall:

(a) Notify the Chief of Slot Operations no later than five days prior to the proposed shipment of slot machine or slot machine component as defined in Chapter 551, F.S.

(b) Coordinate the delivery date and time for the Chief of Slot Operations or his or her designee to accept delivery under Rule 61D-14.096, F.A.C.;

(c) Coordinate shipment date and time for the Chief of Slot Operations or his or her designee to attend the packing, application of the shipping seal to the shipment container and shipment of the material proposed for shipment;

(d) Remove all master key locks from slot machine or slot machine component being shipped; and

(e) Obtain required approval of any floor plan changes necessary pursuant to Rule 61D-14.050, F.A.C., in those cases where an approved floor plan exists at the entity's location.

(6) The following applies to the shipment of slot machine or slot machine component within or out of the State of Florida when the entity identified in subsection 61D-14.096(1), F.A.C., intends to dispose of the slot machine or slot machine component through permanent destruction. The entity shall:

(a) Notify the Chief of Slot Operations no later than five days in advance of proposed shipment of any slot machine or component as defined in Chapter 551, F.S., within or out of the State of Florida to any destination for disposal. The notification shall include:

1. A statement of reason for destruction;

2. A certification that the slot machine or slot machine component is to be shipped specifically for the purpose of destroying the slot machine or slot machine component rendering it unusable for any purpose described in Chapter 551, F.S.; and

3. A statement that a certificate of destruction stating the slot machine or slot machine component has been destroyed shall be presented to the Chief of Slot Operations within ten days of the approved shipment.

(b) Coordinate the shipment date and time for the Chief of Slot Operations or his or her designee to attend the packing and movement of the material proposed for shipment.

(c) Provide for a means for destruction of the slot machine equipment.

(d) Remove all slot machine state seals pursuant to subsection 61D-14.098(2), F.A.C.

(e) Obtain any required approval of any floor plan changes necessary pursuant to Rule 61D-14.050, F.A.C., in those cases where an approved floor plan exists at the entity's location; and

(f) Retain a certificate of destruction pursuant to Rule 61D-14.080, F.A.C., from a designated entity at the shipping destination that states:

1. That the slot machine or slot machine component shipped for destruction has been destroyed;

2. The method used to destroy the slot machine or slot machine component; and

3. The slot machine or slot machine component's identifying information.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (e), (i), 551.109(2)(a), (b) FS. History—
New _____.

61D-14.098 Slot Machine Seal.

(1) When a slot machine is initially received in the State of Florida, the Chief of Slot Operations or his or her designee shall affix a slot machine seal to the slot machine's cabinet. The slot machine seal shall be located on the outside of the slot machine cabinet next to other identification labels on the slot machine cabinet.

(2) A slot machine being transported out of Florida or being destroyed shall have all seals removed from it prior to transportation out of Florida or to its designated destruction location.

(3) For slot machines maintained at a slot machine licensed facility:

(a) The term slot machine licensee's gaming area for purposes of this rule means that area designated at a slot machine licensee's facility in which slot machine games are offered to the public for play.

(b) The division shall:

1. Affix an additional seal (security tape) on the exterior of the slot machine when:

a. A slot machine is removed from the slot machine licensee's gaming area; or

b. A slot machine is received at the slot machine licensed facility and is not immediately offered for play in the licensee's gaming area.

2. Inspect those slot machines that are in the slot machine licensee's storage area, prior to moving the slot machine to the slot machine licensee's gaming area to determine if the additional seal (security tape) the division affixed to the slot machine has been broken or tampered with in any fashion.

(c) When a slot machine seal or additional seal (security tape) has been found to have been broken or tampered with, the following actions shall be taken:

1. The individual discovering the slot machine seal or additional seal (security tape) has been broken or tampered with shall immediately notify the slot machine licensee's security and surveillance department;

2. The facility shall notify the surveillance department to provide coverage of the machine area involved; remove the slot machine involved from play (if it is not in storage); retain all surveillance records regarding the slot machine; notify FDLE of the incident; and secure the slot machine until such time as the FDLE investigator may make a determination regarding the slot machine seal or additional seal (security tape);

3. An FDLE and division representative shall conduct an investigation, including a verification check of game-related storage media and obtain confirmation that all games comply with requirements for games in the state;

4. The division shall use a verification device that is approved by the division for testing slot machines for compliance with Chapter 551, F.S., and Chapter 61D-14, F.A.C.; and

5. If the test results from the verification device reflect that:

a. The slot machine and the slot machine game in the slot machine is a version the division has authorized for play in the State of Florida, the slot machine licensee may offer the slot machine to the public for play; or

b. The slot machine or the slot machine game in the slot machine is not an authorized version for play in the State of Florida, then the slot machine shall not be offered to the public for play. The slot machine shall not be offered to the public for play until:

(I) The investigation into the broken or tampered slot machine seal or additional seal (security tape) has been completed;

(II) The slot machine has been configured with slot machine games and slot machine components that have been certified for use in the State of Florida; and

(III) The slot machine and slot machine game has been certified for use in the State of Florida by an independent test laboratory licensed by the state.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (e), (i) FS. History—New _____.

61D-15.001 Incorporated and Approved Forms.

The following is a list of all forms now incorporated which are to be used by the Division in its dealing with the slot operators and licensees who conduct slot gaming. A copy of these forms may be obtained at www.myflorida.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035. The effective date of each of these forms is the promulgation date of this rule.

FORM NUMBER	SUBJECT	EFFECTIVE DATE
(1) DBPR PMW-3400	Permitholder Application for Annual Slot Machine License	___(7-5-06)
<u>(2) DBPR PMW-3405</u>	<u>Permitholder Renewal Application for Annual Slot Machine License Renewal</u>	___
(3)(2) DBPR PMW-3410	Slot Machine Individual Employee Occupational License Application	___(7-5-06)
(4) DBPR PMW-3415	<u>Slot Machine Individual Occupational License Renewal Application</u>	___
(5)(3) DBPR PMW-3420	Slot Machine Business Entity Occupational License Application	___(7-5-06)
(6) DBPR PMW-3425	<u>Slot Machine Business Entity Occupational License Renewal Application</u>	___
(7)(4) DBPR PMW-3430	Business Entity Internal Control Information	___(7-5-06)
(8) DBPR PMW-3435	<u>Affidavit of Truth</u>	___
(9)(5) DBPR PMW-3440	Professional or Business Employee Supplemental Information	___(7-5-06)
(10)(6) DBPR PMW-34500	Slot Machine Occupational License Upgrade Application	___(7-5-06)
(11)(7) DBPR PMW-3460	Authorization for Release of Information	___(7-5-06)
(12) DBPR PMW-3470	<u>Surety Bond for Florida Slot Machine Licensee</u>	___
(13)(8) DBPR PMW-3660	Slot Operations Monthly Remittance Report	___(7-5-06)
(14)(9) DBPR PMW-3670	Slot Operations Cumulative Monthly Remittance Report	___(7-5-06)
(15)(10) BPR PMW-3680	Slot Jackpot Prize/Cash Option Report	___(7-5-06)
(16) DBPR PMW-3900	<u>Slot Machine and Component Application for Shipment</u>	___
(17) DBPR PMW-3910	<u>Slot Machine and Component Application Shipment Record</u>	___
<u>Rulemaking Specific Authority 551.103, 551.1045, 551.104, 551.106, 551.114, 551.122 551.118, 551.145 FS. Law Implemented</u>		
<u>551.103, 551.104, 551.1045, 551.106, 551.107, 551.114, 551.118, 551.145, 559.79(2) FS. History--New 7-5-06,</u>		
<u>Amended _____.</u>		