

(4) Distributors shall not make consignment sales to vendors. Vendors shall not attempt the return or exchange of product because the product is overstocked or slow-moving.

Rulemaking Authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History—New\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-14.002	Application Requirements
61D-14.005	Occupational License Requirements for Individual Persons
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.008	Occupational License Renewal Application

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.002 Application Requirements.

(1) through (a) No change.

(b) Be filed on Form DBPR PMW-3400, Permitholder Application for Annual Slot Machine License, effective \_\_\_\_\_, adopted herein by reference, which form is also listed in Rule 61D-15.001, F.A.C., and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035; and incorporated by Rule 61D-15.001, F.A.C.;

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

2. Form DBPR PMW-3460, Request for Release of Information and Authorization to Release Information, effective \_\_\_\_\_, adopted herein by reference, which form is also listed in Rule 61D-15.001, F.A.C., and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035, 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) through (k) No change.

(l) Include a complete Form DBPR PMW-3470, Surety Bond for Florida Slot Machine Licensee, effective \_\_\_\_\_, adopted herein by reference, which form is also listed in Rule 61D-15.001, F.A.C., and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035 and incorporated by Rule 61D-15.001, F.A.C. This form provides 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 successors in office. The bond required by this section must:

1. through 2. No change.

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. through 6. No change.

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

(m) through (n) No change.

(o) Include a copy of each policy required by Sections 551.104(4)(i);

(p) Provide a list summarizing all administrative, civil, or criminal proceedings initiated by any governmental agency or entity, including all judgments or final decisions entered in such 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., as well as additionally provide, when specifically requested by the division, copies of any complaint, pleading, and any final order, judgment, or other final disposition in any such administrative, civil, or criminal proceeding. 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) through (4)(b) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented ~~419.07,~~ 551.103(1)(a), (b), (f), (g), 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) through (a) No change.

1. Will be a security, ~~surveillance~~, or supervisory employee who requires access to the slot gaming floor of a slot machine facility, or a surveillance employee;

2. through (c) No change.

(2) As part of the initial application for or renewal of a slot machine occupational license provided in Section 551.107, F.S., an applicant shall submit the following information on Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, effective \_\_\_\_\_, or Form DBPR PMW-3415, Slot Machine Individual Occupational License Renewal Application, effective \_\_\_\_\_, adopted herein by reference, which forms are also listed in Rule 61D-15.001, F.A.C., and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035; and incorporated by Rule 61D-15.001, F.A.C.:

(a) through (3)(c)2. No change.

3. Any period of unemployment in excess of one month in the previous ten years.

(d) No change.

(e) A Form DBPR PMW-3460, Authorization for Release of Information, adopted by reference in Rule 61D-14.002, F.A.C., and incorporated by Rule 61D-15.001, F.A.C., signed by the individual.

(4) No change.

(a) A duly completed original Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, adopted by reference in subsection (2) above, and incorporated by Rule 61D-15.001, F.A.C., in accordance with subsection (3);

(b) through (7) No change.

Rulemaking 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) through (c)5. No change.

(2) An application for a business slot machine occupational license shall be made on Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, effective \_\_\_\_\_, adopted herein by reference, which form is also listed in Rule 61D-15.001, F.A.C., and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035, which is adopted and incorporated by Rule 61D-15.001, F.A.C.

(3) Failure to include the following information as required by Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted by reference

in subsection (2) above, which is adopted and incorporated by Rule 61D-15.001, F.A.C., shall constitute grounds to deny the incomplete license application:

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

2. A Form DBPR PMW-3460, Authorization for Release of Information, adopted by reference in Rule 61D-14.002, F.A.C., and incorporated by Rule 61D-15.001, F.A.C., signed by the individual.

(i) through (k) No change.

1. A list ~~list~~ 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. No change.

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 (o)2.a. No change.

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. 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 by reference in subsection (2) above, 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) through (c) No change.

~~(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;~~

~~(d)(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; and

~~(e)(f)~~ The entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted by reference in subsection (2) above, 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) through (9) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107 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 completed original Form DBPR PMW-3415, Slot Machine Individual Occupational License Renewal Application, adopted by reference in Rule 61D-14.005, F.A.C., or Form DBPR PMW-3425, Slot Machine Business Entity Occupational License Renewal Application, effective ~~adopted herein by reference, which forms are also listed in Rule 61D-15.001, F.A.C., and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035; and incorporated by Rule 61D-15.001, F.A.C.; and~~

(b) The fees to be paid as provided in Rule 61D-14.011, F.A.C.; and

(c) through (5)(a) No change.

(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 by reference in Rule 61D-14.005, F.A.C., 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) No change.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.0055                Temporary Individual Slot Machine Occupational License

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 44, November 6, 2009 issue of the Florida Administrative Weekly.

61D-14.0055 Temporary Individual Slot Machine Occupational License.

(1) The division shall issue a temporary individual slot machine occupational license, general or professional, when the following conditions are met within 30 days of receipt of the application submitted pursuant to subsection 61D-14.005(2), F.A.C.:

(a) through (4)(b) No change.

Rulemaking Authority 551.103(1), 551.1045, 551.122 FS. Law Implemented 551.1045, 551.107 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.020                Excluded Persons

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.020 Excluded Persons.

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

(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 remove any ~~ensure that the~~ listed individual ~~is excluded~~ from its facility ~~facilities~~.

(4) through (4)(d) No change.

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

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

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

(5) If obtainable, a photograph of the excluded person shall be kept on file in the surveillance department.

~~(6)(5)~~ 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.

~~(7)(6)~~ 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. The security department shall:

~~(a) Immediately notify the division or FDLE of the presence of the excluded person in any area of the gaming establishment;~~

~~(a)(b)~~ Request such excluded person to not enter or if on the premises to immediately leave; and

~~(b)(e)~~ Notify the appropriate law enforcement agency and the division if such excluded person fails to comply with the request of the licensee, its agents or employees.

~~(7) Permitting 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 who has excluded himself or herself, 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) through (h) No change.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.023                 Slot Machine Doors and  
  Compartments

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.023 Slot Machine Base Doors.

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 division approved keyed lock for that purpose.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1) FS. History--New 6-25-06, Amended.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.036                 Slot Machine Tournament

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.036 Slot Machine Tournament.

(1) through (3)(b) No change.

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

(d) through (4)(d) No change.

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

(5) The facility based monitoring system shall create an electronic entry in the event log for any slot machine entered into tournament mode.

~~(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) No change.

(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 machine is enabled in the tournament mode of play and after the machine is returned to normal 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\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.038                 Percentage Payout and Odds

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.038 Percentage Payout and Odds.

(1) through (5)(a) No change.

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

(c) through (7)(a) No change.

~~(b) Remove the game from play;~~

~~(b)(e)~~ Recompute the slot machine game payout percentage using the FBMS; and

~~(c)(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 division will verify 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) through (c) No change.

(d) Any record regarding software operating program verification by the division ~~programs were replaced~~ pursuant to subsection ~~(9)(8)~~ of this rule.

(11) The records generated under this rule shall be maintained consistent with Rule 61D-14.080, F.A.C.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (h), 551.104(4)(j) FS. History—New 6-25-06, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:                   RULE TITLE:  
61D-14.041                 Randomness Requirements and  
  Game Play Auditing

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.041 Randomness Requirements and Game Play Auditing.

(1) through (3) No change.

(4) For purposes of this rule “false hope” or “extra visual encouragement” or “subliminal message” is defined as:

(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.

(4)(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.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-14.044  
 RULE TITLE: Identification of Program Storage Media, and Slot Machine Technical Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

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 media devices shall:

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

(b) through (6) No change.

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

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

1. Be maintained in each slot machine under that slot machine’s serial number;

2. through (10)(c) No change.

(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~~ the facility has determined to be qualified to perform the task or a more senior employee.

(11) through (14) No change.

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

(b) through (19)(a) No change.

1. Cease further game play;

2. through (20)(d) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (f), (g) FS. History--New 8-13-06, Amended.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-14.047  
 RULE TITLE: Facility Based Monitoring System and Computer Diagnostics

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

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

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

(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~~(11)(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, such as a slot machine interface board (SMIB). All interface elements shall:

(a) through (4)(a) No change.

(b) Secure Encrypt all accounting data communications in accordance with the facility’s internal controls.

(5) through (6)(c) No change.

(7) The FBMS shall create:

~~(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:

~~(a)1.~~ The name of the data element altered;

~~(b)2.~~ The value of the data element:

1.a. Prior to data alteration; and

2.b. After data alteration.

a.3. The time and date of alteration for each data element alteration event; and

b.4. The identification of the:

a. The individual who performed the alteration; ~~and~~

b. The supervisor approving the alteration.

(8) through (b) No change.

(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 readily accessible ~~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) through (11)(a) No change.

(b) Keep a log of all error conditions ~~Notify the system administrator of any error condition;~~

(c) through (13)(l) No change.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

61D-14.053 Key Controls

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.053 Key Controls.

(1) through (4)(c) No change.

(d) The name and designated slot licensee ~~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 designated slot licensee ~~occupational license~~ number of the security person issuing the key;

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

(g) through (5)(c) No change.

Rulemaking 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.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

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

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

61D-14.075 Jackpot Payouts Not Paid Directly From the Slot Machine.

(1) through (2)(c)4.b. No change.

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

(a) A three-part form in a bound booklet from which the original and first duplicate jackpot payout slips may be detached while the second duplicate jackpot payout slip remains in the bound booklet; and 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 responsible for controlling all unused jackpot payout slips identified in sub paragraph (2)(c)3. of this rule:

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

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

~~2.3. Take the completed booklets of the second duplicate. Remove the triplicate copies of those jackpot payout slips to the accounting department for reconciliation, issued from the locked jackpot payout dispenser system; and~~

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

(c) Under constant surveillance coverage over the use and storage of the booklets as provided in the facility's internal controls.

(4) through (5)(c) No change.

(d) The date and time the jackpot occurred; and

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

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

(6) through (9)(b)2. No change.

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 the division ~~FDLE~~ of the jackpot and broken or tampered division security tape; and secure the designated slot machine until such time as the division representative ~~FDLE investigator~~ may make a determination regarding the jackpot;

b. ~~A 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. through (11)(b) No change.

(c) Include all details of each cash/prize jackpot option transaction on Form DBPR PMW-3680, Slot Jackpot Prize/Cash Option Report, effective \_\_\_\_\_, adopted herein by reference, which form is also listed in Rule 61D-15.001, F.A.C., and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035, which is adopted and incorporated by Rule 61D-15.001, F.A.C.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-14.096	Requirement for Shipment of All Slot Machines and Software Components
61D-14.097	Responsibility for Control of Slot Machine or Slot Machine Component Shipment
61D-14.098	Slot Machine Seal

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly.

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

(1) This rule applies to the shipment of any slot machine or software slot machine component, such as EPROMs, flash cards, or CDs/DVDs, as defined in Chapter 551, F.S., and Chapter 61D-14, F.A.C., whether the item or items are being shipped into, out of, or within the State of Florida to a:

- (a) through (e) No change.
- (2) The information and material required to request shipment of any slot machine or software 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, effective \_\_\_\_\_, and Form DBPR PMW-3910, Slot Machine and Component Application Shipment Record, effective \_\_\_\_\_, both adopted herein by reference, and incorporated by Rule 61D-15.001, F.A.C., to the Chief of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Service Center, 1400 W. Commercial Blvd., Ft. Lauderdale, Florida 33309-3787, which forms are also listed in Rule 61D-15.001, F.A.C., and can be obtained at

www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035; 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 software slot machine components in the State of Florida.

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

(a) No slot machine or software 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) No change.
- (c) All slot machines and software slot machine components must be shipped in the following manner:

1. through 2. No change.
3. All slot machine software components 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 software slot machine or slot machine component may be shipped intact within a locked slot machine the logic compartment locked and rendered inoperable so long as the key to such lock is shipped to the Division of Pari-Mutuel Wagering, Division of Slot Operations, 1400 West Commercial Boulevard, Suite 165, Ft. Lauderdale, Florida 33309 separately from the slot machine or slot machine software component.

4. through (e)1. No change.
2. Immediate refusal of the entire shipment and the return of the entire shipment to the originating shipment location and notification to FDLE.

(4) No change.

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) No change.
- (2) Licensed manufacturers and distributors must request approval from the Chief of Slot Operations, Division of Pari-Mutuel Wagering, North Broward Service Center, 1400 W.

Commercial Blvd., Ft. Lauderdale, Florida 33309-3787, 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) through (6)(f)3. No change.

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 pre-numbered state identification 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 to clearly identify that the machine has been inspected and accepted by division personnel.

(2) through (3)(c)5.b.(III) No change.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:  
61D-15.001 Incorporated and Approved Forms  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 13, April 2, 2010 issue of the Florida Administrative Weekly.

61D-15.001 Incorporated and Approved Forms.

The following is a list of all forms that have been adopted by reference that are used with 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.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) ~~[www.myflorida.com/dbpr/pmw](http://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	FORM TITLE SUBJECT	EFFECTIVE DATE
(1) DBPR PMW-3400	Permit holder Application for Annual Slot Machine License	=====
(2) DBPR PMW-3405	Permit holder Renewal Application for Annual Slot Machine License Renewal	=====
(3) DBPR PMW-3410	Slot Machine Individual Occupational License Application	=====
(4) DBPR PMW-3415	Slot Machine Individual Occupational License Renewal Application	=====
(5) DBPR PMW-3420	Slot Machine Business Entity Occupational License Application	=====

(6) DBPR PMW-3425	Slot Machine Business Entity Occupational License Renewal Application	=====
(7) DBPR PMW-3430	<del>Business Entity Internal Control Information</del>	=====
(8) DBPR PMW-3435	<del>Affidavit of Truth</del>	=====
(9) DBPR PMW-3440	<del>Professional or Business Employee Supplemental Information</del>	=====
(7)(40) DBPR PMW-3450	Slot Machine Occupational License Upgrade Application	=====
(8)(44) DBPR PMW-3460	Information for Release of Information	=====
(9)(42) DBPR PMW-3470	Surety Bond for Florida Slot Machine Licensee	=====
(10)(43) DBPR PMW-3660	Slot Operations Monthly Remittance Report	=====
(11)(44) DBPR PMW-3670	Slot Operations Cumulative Monthly Remittance Report	=====
(12)(45) DBPR PMW-3680	Slot Jackpot Prize/Cash Option Report	7-5-06
(13)(46) DBPR PMW-3900	Slot Machine and Component Application for Shipment	=====
(14)(47) DBPR PMW-3910	Slot Machine and Component Application Shipment Record	=====

Rulemaking Authority 551.103, 551.1045, 551.114, 551.122 FS. Law Implemented 551.103, 551.104, 551.1045, 551.106, 551.107, 551.114, 551.118, 559.79(2) FS. History–New 7-5-06, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: RULE TITLE:  
61J2-17.014 Guest Lecturers  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above Rule Development, as noticed in Vol. 34, No. 8, February 22, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.: RULE TITLES:  
64B3-9.001 Application Fees  
64B3-9.002 Initial Licensure Fees  
64B3-9.004 Active Status Renewal Licensure Fee

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 8, February 26, 2010 issue of the Florida Administrative Weekly.