

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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 wide area progressive providers or sole proprietorships, as follows:

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

1. 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 may be granted access to the designated slot machine area by reason of the employment position they hold with the business entity.

(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 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) 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 6-21-10, 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.

(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, shall constitute grounds to deny the incomplete license application:

- (a) The name of the business, including "doing business as" (d/b/a) names or fictitious names;
- (b) The business Federal Employer Identification Number or, for sole proprietors, a social security number;
- (c) Whether the business is a sole proprietorship, corporation, estate, trust, partnership, or if not one of the foregoing, a description of the business entities ownership and management structure;
- (d) Whether the applicant is seeking a one or three-year license;
- (e) A check or money order for the applicable business license fee as provided in Rule 61D-14.011, F.A.C.;
- (f) The physical and mailing address(es), including the country if not the United States of America;
- (g) The name and title of a contact person working for the business, including a primary telephone number, an alternate telephone number, and a primary e-mail address;
- (h) A list of all officers, directors, or managers of the business including:
 1. A set of fingerprints that have been taken by a law enforcement officer or division staff to allow for electronic submission to FDLE; and
 2. A Form DBPR PMW-3460, Authorization for Release of Information, adopted by reference in Rule 61D-14.002, F.A.C., signed by the individual.
- (i) The name, title, and job description of each employee who is required to enter 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.

(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:

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

(l) A description of the services, products or goods which the business intends to provide;

(m) A list of all ownership interests of five percent or greater. If a corporation, 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, if a business entity other than a corporation, the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity;

(n) The names and addresses of the ultimate equitable owners for a corporation or other business entity, if different from those provided under paragraph (3)(h), 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;

2. If such corporation or entity files 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;

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

1. The state in which the applicant is incorporated;
2. Whether the corporation, or any officer or director of that corporation, has been convicted of a crime, and if so, provide:
 - a. A listing of those crimes; and
 - b. A copy of all court or administrative records concerning the charge and final order regarding any crime for which the corporation or officer or director was convicted.
3. A copy of the corporation's registration to do business in the state of Florida;
4. The name of any person authorized to accept service of process for administrative, civil or criminal proceedings in the state of Florida;
5. A complete listing of any subsidiaries of the corporation; and
6. A complete listing of any other corporations holding an ownership interest in the applicant corporation, including any officers, directors, managers or ownership interest in such a company holding an interest in the applicant; and

(p) A list of slot machine licensees to whom the applicant intends to provide services, products or goods.

(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 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 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) The entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted by reference in subsection (2) above, 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.

(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) If the applicant is a business entity, it shall file its business occupational license application 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) 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) 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) Each application shall be filed with the division's office located at 1940 North Monroe Street, Tallahassee, Florida 32399-1035.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107 FS. History—New 7-30-06, Amended 6-21-10,

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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, wide area progressive provider, 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, progressive systems, 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; and

4. A wide area progressive provider.

(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; or

(d) A wide area progressive provider.

(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 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 6-21-10,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-14.022, F.A.C. follows. See Florida Administrative Code for present text.)

61D-14.022 Slot Machine, Slot Machine Component, and Progressive System Requirements.

(1) Slot machine licensees shall only offer slot machines that transmit or track financial data using a game services protocol, such as the Slot Accounting System (SAS).

(2) A slot machine that has a game display or presentation other than spinning reels, and which has not previously been certified for use in Florida, shall:

(a) Comply with Chapter 551, F.S., and Chapter 61D-14, F.A.C.;

(b) Not operate a program of play in which the result of any play is dependent on the result of another machine or on any other games played on the same machine;

(c) Be considered a separate slot machine for all purposes under Chapter 551, F.S., and Chapter 61D-14, F.A.C., even if it is one of two or more terminals linked to a single common game display or presentation; provided, however, and notwithstanding Rule 61D-14.041(1), F.A.C., such slot machine may share a common external random number generator (RNG) with the other machines linked to the common game display or presentation; and

(d) Be certified by an independent testing laboratory that:

1. Each game play result is independent from the result of:

a. Any game played before or after that game on the same machine; and

b. Any game played, as well as the game play, on any other machine.

2. The machine contains no adjustable settings that would allow for the game's odds or payouts to be altered in any way while the machine is in play; and

3. The shared RNG of machines linked to a single common game display or presentation as described in paragraph (2)(c) above, though not internal to any particular machine, nevertheless fully complies in all other respects with Rule 61D-14.041, F.A.C., except that it may also be a mechanical RNG.

(3) Prior to the sale or delivery of a slot machine, slot machine component, or progressive system for play in this state, the division must receive written certification by a licensed independent testing laboratory that all criteria for operation contained in Chapter 551, F.S., and Chapter 61D-14, F.A.C., are met. For the purposes of Chapter 61D-14, F.A.C., a slot machine component is any part or module which is required to be tested by an independent laboratory for compliance with any provision found in Chapter 551, F.S. or Chapter 61D-14, F.A.C.

(4) The manufacturer of any slot machine, slot machine component, slot machine game, or progressive system to be offered for play in this state is responsible for all compliance testing.

(5) Slot machines, slot machine components, and progressive systems shall be capable of resuming game play without operator intervention and shall withstand the following tests:

(a) Random Number Generator Test;

(b) Electro-Magnetic Interference Test;

(c) Electro-Static Interference Test;

(d) Radio Frequency Interference (RFI) Test;

(e) Magnetic Interference Test; and

(f) Liquid Spills Test.

(6) A slot machine shall have an identification badge permanently affixed to the exterior of the slot machine cabinet by the manufacturer. The badge shall include the following information:

(a) The name of the manufacturer;

(b) A unique serial number;

(c) The slot machine model number; and

(d) The date of manufacture.

(7) A slot machine component shall have an identification affixed to the exterior of the component by the manufacturer. The information shall be the date of manufacture and either:

(a) The name of the manufacturer;

(b) A unique serial number; or

(c) A part number unique to that type of component when applicable.

(8) All progressive systems hardware must have a manufacturer's identification affixed to it.

(9) For bets greater than one credit, the slot machine shall display, through monitors, paytables (machines face glass), decals, or button tiles, the minimum wager for the minimum required play.

(10) The slot machine shall have a light located on top that automatically illuminates when:

(a) A player attempts to redeem credits that the slot machine cannot automatically pay;

- (b) An error condition has occurred; or
- (c) A player has initiated a 'Call Attendant' condition.
- (11) The power switch for a slot machine shall be:
 - (a) Clearly labeled;
 - (b) Located in a place which is readily accessible within the interior of the slot machine; and
 - (c) Positioned so that power cannot be disconnected from outside of the machine.
- (12) The operation of a slot machine, slot machine component, slot machine game, or progressive system:
 - (a) Shall not be altered by surges or reductions of $\pm 10\%$ of the power supply voltage; and
 - (b) May be reset if there is no:
 1. Damage to the equipment; or
 2. Loss or corruption of data.
- (13) Each individual slot machine shall be controlled by one or more microprocessors. The microprocessors shall be physically located within the slot machine's locked logic compartment, which shall have a key different from the key used for the slot machine main door.
- (14) Ticket printers shall be in a locked area of the slot machine and interfaced to allow the slot machine control program to interpret the slot machine game and provide an alert when the ticket printer:
 - (a) Is out of paper;
 - (b) Low on paper;
 - (c) Is disconnected; or
 - (d) Has a printer jam or failure.
- (15) The slot machine shall enter a lock-up condition if:
 - (a) The sum of the award from the single play of a game is equal to or greater than \$1,200.00, at which time a manual jackpot payment shall be made pursuant to Rule 61D-14.075, F.A.C.;
 - (b) The integrity of the machine is compromised; or
 - (c) A component critical to the proper operation of the machine has failed.
- (16) The lock-up condition shall require an attendant to:
 - (a) Complete any required manual jackpot payment consistent with Chapter 61D-14, F.A.C.; or
 - (b) Clear the error on the slot machine before play may resume on the slot machine.
- (17) An electronic identification card shall only be issued to specifically designated licensed employees and shall be inserted into the slot machine at the time a slot machine door identified in Rule 61D-14.023, F.A.C., is opened.
- (18) Except in the case of a drop, failure to use the electronic identification card shall result in an unauthorized or illegal door open condition in violation of this rule and Chapter 551, F.S.
- (19) Any adjustments made to the available gaming options on any slot machine, slot machine component, slot machine game, or progressive system must be witnessed and approved by the division.
- (20) The facility internal controls will describe the security methods used in the storage and destruction of software media. Nothing in this subsection shall permit duplication of software or introduction of regulated software before the division approves that software.

*Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (1)(d), (1)(h), (1)(i) FS.
History – New 7-30-06, Amended _____.*

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-14.024, F.A.C. follows. See Florida Administrative Code for present text.)

61D-14.024 Logic Compartment.

(1) The logic compartment is a locked compartment contained within each slot machine cabinet. The logic compartment shall:

- (a) Have its own locked door;
- (b) Be separate from any external door lock;
- (c) Contain, at a minimum, the central processing unit or units that control the slot machine.

(2) A slot machine or slot machine game may not be offered for play at a slot machine licensed facility until:

(a) A licensed independent testing laboratory has certified that it meets all requirements of Chapter 551, F.S., and Chapter 61D-14, F.A.C.;

(b) The division has verified the identity of the slot machine software program and confirmed that it has been certified by an independent testing laboratory; and

(c) The division has sealed the slot machine with evidence tape as prescribed by this rule.

(3) In accordance with the licensed slot machine facility's internal controls, the division shall apply evidence tape to:

(a) The exterior of the slot machine's logic compartment door(s); and

(b) Any slot machine interior compartment that houses components that could affect the outcome of the game, including progressive systems where applicable.

(4) When the slot machine first arrives at the licensed slot machine facility for installation, the licensee shall deliver to the licensed facility's division office all keys to each lockable compartment, together with a written certification signed by the facility's senior manager that:

(a) All keys delivered are the only keys to the lockable compartment(s);

(b) The keys have not been and will not be duplicated;

(c) The keys and any associated key codes shall not be used in any fashion by the slot machine licensee without prior division authorization; and

(d) Duplicate or replacement keys may only, at the expense of the facility, be ordered through the division.

(5) Any occupational licensee who observes that a piece of evidence tape has been tampered with in any way shall disable the slot machine from play and immediately notify facility security and surveillance, which shall:

(a) Notify the division; and

(b) Ensure the slot machine is not offered for play until the completion of any investigation and its evidence tape has been replaced.

(6) A record of all compartment door openings and closings shall be maintained inside a locked compartment within the slot machine. The record shall include the name, title, and occupational license number of the occupational licensee opening a slot machine door, as well as the date, time, and reason for opening the door.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.032 Progressive System Requirements.

(1) With the prior approval of the division, one or more slot machine licensees may operate any wide area progressive system (WAP) or local area progressive devices (LAP) certified by a licensed independent testing laboratory in compliance with Chapter 551, F.S., and Chapter 61D-14, F.A.C.

(2) To obtain the approval to participate in WAP gaming, a slot machine licensee shall provide the division with a copy of the WAP agreement, which must specifically describe and identify the role, authority, and responsibilities of each casino licensee and each WAP provider participating in the conduct of the wide area progressive system., and the WAP provider must:

(a) Utilize multiple demark stations;

(b) Be licensed in at least two other jurisdictions where slot machine gaming is authorized; and

(c) Not connect to any system outside of the United States.

(3) A WAP or LAP slot machine utilizing multiple level jackpots shall:

(a) Clearly display the amount of wager necessary to attain each level of the jackpot award;

(b) Clearly indicate which level(s) the player is playing for; and

(c) Not be used as a tournament slot machine or in any tournament style gaming.

(4) The progressive jackpot amount displayed on any WAP or LAP slot machine jackpot meter shall not be altered, unless:

(a) The jackpot amount is awarded;

(b) The meter requires an adjustment because of a functional error and the division approves the adjustment; or

(c) The amount of the progressive jackpot, minus the reset amount, is distributed to another WAP or LAP slot machine, in

which case:

1. The licensee must document the redistribution and report it to the division;

2. The redistribution must be dispersed to another WAP or LAP slot machine that does not require a higher wager amount for its progressive win; and

3. The redistribution must be dispersed to another WAP slot machine of the same host or a LAP within the same licensed facility.

(5) Upon validation of a jackpot award, the total prize shall be awarded to the patron in accordance with applicable law and the slot machine licensee's internal controls.

(6) A LAP slot machine may not be offered for play as a WAP slot machine.

(7) Documentation accompanying the progressive system will include:

(a) The type of progressive system the controller utilizes;

(b) The configuration of each type including:

1. Stand alone;

2. Linked; and

3. Multi-site.

(c) A listing of error conditions and tilts;

(d) The number of displays the progressive controller can support; and

(e) A description of the events that take place when a progressive jackpot is won.

(8) Only one game on any linked progressive system can function as the master progressive controller and:

1. If the master controller becomes inoperative all linked games must tilt; and

2. If any game within the linked games loses communication with the master controller, that game must tilt.

(9) The progressive controller must be able to display all setup parameters.

(10) The approval of a multi-site WAP system shall be certified in two phases:

(a) First by an independent testing laboratory for the integrity of the gaming device in conjunction with the progressive system; and

(b) Second by onsite certification by the independent testing laboratory where the progressive communications and setup are tested prior to implementation.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.033 Progressive Displays and Controllers.

(1) All progressive jackpot displays shall:

(a) Be visible to all players playing the machine;

(b) Show all values as dollars and cents; and

(c) Show the progressive jackpot amount close to near real time (+/- 30 seconds).

(2) If any progressive system interfaces with the player tracking systems display, it must conform to the requirements of Rule 61D-14.076, F.A.C., and comply with the appropriate ITL standard(s).

(3) Any modification of a progressive system, including progressive controllers, shall require:

(a) Prior written approval from the division; and

(b) The presence of a division representative.

(4) When a progressive controller error occurs:

(a) An alert must be immediately sent to the facility based monitoring system (FBMS); and

(b) Visibly displayed on the progressive meter.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History--New

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.034 Progressive Jackpots.

(1) All progressive slot machines shall have the ability to record the following information for each progressive amount:

(a) The current prize amount;

(b) The number of progressive wins;

(c) The history of at least the last five progressive awards;

(d) The starting award value;

(e) The jackpot award value limit;

(f) The initial incremental percentage rate at which an award is increased;

(g) The secondary incremental percentage rate at which an award is increased after the jackpot limit is reached;

(h) The overflow incremental percentage increment rate for the reserve pool;

(i) The amount the progressive will be reset to its base reset amount after the progressive jackpot is awarded; and

(j) The slot machines participating in the progressive jackpot.

(2) Any modification of a progressive system or progressive jackpot amount shall require:

(a) Prior written approval from the division; and

(b) The presence of a division representative.

(3) All progressive jackpot amounts shall be equal to or greater than the reset amount of each progressive machine.

(4) Jackpots must be paid directly to the patron and not be electronically transferred to a patron account.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History--New _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.037 Games with Bonus Features, Multiple Win Lines, Prizes.

(1) If the slot machine game or progressive slot machine contains a bonus feature including a “game within a game,” the following requirements shall be met:

~~(a)~~(4) The game shall display to the player which game rules apply to the current game state;

~~(b)~~(2) The number of plays remaining for the free game event shall be displayed as each free game is played;

~~(c)~~(3) If a bonus or feature game requires extra credits to be wagered the game shall provide the player an opportunity to not participate;

~~(d)~~(4) The probability of obtaining winning events or symbols on the base game shall not decrease as the game progresses; and

~~(e)~~(5) The game shall display to the player that the game is in a bonus feature mode.

(2) Any progressive slot machine that has a “game within a game” or bonus feature shall:

(a) Be a function of the base game;

(b) Not add bonus feature amounts to the progressive total; and

(c) Not increase or decrease a patron’s chance of winning the progressive jackpot other than to add additional credits for future play or cash out when the cash out button is engaged.

(3) If a mystery progressive jackpot is offered, all machines linked to the mystery progressive must have the same chance at winning the progressive jackpot and shall notify the patron of the award.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (g), 551.121(5) FS. History–New 6-25-06, Amended _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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 payable.

(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 since the installation of the game;
- (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) Recompute the slot machine game payout percentage using the FBMS; and
- (c) Determine whether the recomputation of the payout percentage reveals that the slot machine game falls within or outside of the volatility range.

(8) If, in two consecutive quarterly reports, a slot machine game fails to remain within its volatility range, the division will verify the operating software that meets the requirements of the testing in subsection (1) of this rule.

(9) 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 program verification by the division pursuant to subsection (8) of this rule.

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

(11) The frequency of any progressive award, regardless of the type of connectivity, must be approved by the division.

(12) In the event of a simultaneous multiple jackpot occurrence where there is no definitive method of determining which jackpot occurred first, the award shall be awarded to all patrons that contributed to the simultaneous jackpot win.

(13) In the event of a communication failure of any WAP during a simultaneous jackpot win, the patron contributing to the jackpot at the non-updated site will also be eligible for the same jackpot amount as the updated contributing patrons were awarded.

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 6-21-10,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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(11), 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) 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) Secure all accounting data communications in accordance with the facility's internal controls.

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

- (a) The name of the data element altered;
- (b) The value of the data element:
 - 1. Prior to data alteration; and
 - 2. After data alteration.
 - a. The time and date of alteration for each data element alteration event; and
 - b. The identification of the individual who performed 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 daily 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 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- or off-site.

(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) Keep a log of all error conditions;
- (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 or progressive 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 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 6-21-10,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.048 Facility Based Monitoring System Required Reports.

(1) Reports shall be generated on daily, weekly, monthly, and yearly periods. A life to date report shall also be generated yearly from stored database information. These reports at minimum shall consist of the following:

- (a) Net win/revenue report for each slot machine;
- (b) Comparison reports for bills, tickets or vouchers accepted by the slot machine with dollar value totals for each type;
- (c) Metered vs. actual jackpot comparison report with the dollar value totals for each;
- (d) Statistical payout percentage vs. actual payout percentage comparison with variances; and
- (e) Event log of errors referenced in subsection 61D-14.044(11), F.A.C., and hand-paid jackpots for each slot machine.

(2) A facility based monitoring system shall capture and record every handpay message from each slot machine and meet the following requirements:

(a) Handpay messages shall be created for single wins and accumulated credit cash outs, which result in handpays;

(b) For every single win event that is equal to or greater than the tax reporting threshold, which has been established pursuant to 26 Code of Federal Regulations, Section 7.6041-1 as \$1,200, the facility based monitoring system shall send a message advising of the need for Internal Revenue Service forms W2G or 1042-S, which is to be processed, either via the facility based monitoring system or manually. This option shall not be overridden;

(c) An original jackpot slip shall not be voided without the written authorization of a supervisor; and

(d) The following information shall be required for all slips generated by the facility based monitoring system:

1. Type of slip;
2. Numeric slip identifier that increments per event;
3. Date and time;
4. Slot machine asset number;
5. The lowest value wager that can be made on the game;
6. Amount of jackpot, accumulated credit, and additional pay;
7. A \$1,200 payout message referenced in paragraph (b);
8. Additional payout;
9. Total before taxes and taxes withheld; and
10. Amount paid to the patron.

(3) The following reports shall be generated and reconciled with all validated/redeemed tickets:

- (a) Ticket issuance report;
- (b) Ticket redemption report;
- (c) Ticket liability report for tickets that have been issued and not redeemed;
- (d) Ticket drop variance report;
- (e) Transaction detail report shall be available from the ticket validation system that shows all tickets generated by a slot machine and all tickets redeemed by a ticket validation terminal or other slot machines; and

(f) Cashier report that details individual tickets, the sum of the tickets paid by cashier/change booth or redemption terminal.

(g) Daily progressive meter report to include date, time, progressive (name/number), progressive type, bank(s)/machine(s), progressive amount(s).

(4) The facility based monitoring system shall have the ability to produce the following financial and player reports:

(a) A liability report that shall include previous days starting value of outstanding cashless liability, aggregate cashless-in and out totals, and ending value cashless liability;

(b) Cashless meter reconciliation summary and detail reports that shall reconcile each participating slot machine's cashless meter(s) against the facility based monitoring system's records of cashless activity; and

(c) Cashier summary and detail reports that shall include player electronic buy-ins and cash-out, amount of transaction, date and time of transaction.

(5) Nothing in this section shall be interpreted to limit the ability of the division ~~or FDLE~~ to request reports from the facility based monitoring system as authorized by Chapter 551, F.S., and Chapter 61D-14, F.A.C.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (i), 551.104(4)(f), 551.121(5) FS. History—New 6-25-06, Amended _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-14.073 Meter Readings.

(1) Accounting department employees shall at least once a month manually read and record all meters referenced in subsections 61D-14.042(1)-(2), F.A.C., and reconcile those readings with the information on the facility based monitoring system.

(2) After preparation of the slot meter sheet each employee involved with its preparation shall sign the slot meter sheet attesting to the accuracy of the information. The slot meter sheet shall be forwarded directly to the accounting department for comparison to the slot win sheet and calculation of slot machine statistics.

(3) Whenever there is a variance of more than two percent or more than \$100 between the slot machine's internal meters and the meters of the facility based monitoring system, the slot machine licensee shall investigate the cause of the variance and prepare and file an incident report documenting the variance with the controller, the director of surveillance, and the division. The incident report shall include:

- (a) The date of the meter reading;
- (b) The date the report was filed;
- (c) The amount of the variance, by denomination, which shall be by total value;
- (d) The asset number of the machine involved;
- (e) The amount of the variance by bills, tickets, and/or vouchers;
- (f) An indication as to the cause of the variance with documentation attached to support the explanation; and
- (g) The signature and license number of the preparer.

(4) With respect to progressive slot machines, accounting department employees shall:

(a) Record the progressive meter totals daily, including the top award at all stages/tiers of a multi-win progressive; and

(b) Document any decrease in the progressive totals and file a written report with the division when:

1. A patron wins the jackpot amount; or

2. There is an error in the progressive meter.

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