

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.001, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.001 Definitions.

- (1) "All-in" means when a player commits all of his or her chips into a pot.
- (2) "Ante" means a predetermined wager that each player is required to make in some poker games prior to any cards being dealt in order to participate in the round of play.
- (3) "Bet" means to wager an amount signified by the number of chips contributed to a pot on any betting round.
- (4) "Betting round" means a complete wagering cycle in a hand of poker after all players have called, folded, checked, or gone all-in.
- (5) "Blind" means a predetermined bet a player or players must place on the table before the cards are dealt.
- (6) "Business Entity" means a sole proprietorship, general or limited partnership, corporation, business trust, joint venture, or unincorporated association which supplies products or services to a cardroom.
- (7) "Button" means a circular object moved clockwise around a poker table to denote the assigned dealer for each hand.
- (8) "Buy-in" means the amount of money required by the cardroom operator to enter and participate in a game.
- (9) "Cardroom gaming area" means any area of a licensed facility designated by the cardroom operator in its floor plan in which authorized games are played or where any type of cardroom operations may occur, such as handling of cash, chips, dominoes, or cards, including entrances and exits.
- (10) "Cardroom surveillance" means the capability to observe and electronically record activities being conducted in a cardroom and its supporting areas.
- (11) "Chips" means a money substitute, redeemable for cash, issued and sold by a cardroom operator for use in cardroom games with a specific value based on color.
- (12) "Clearing hands" means displaying the palm and back of both hands in plain view of the surveillance cameras.
- (13) "Day" means the 24-hour period that commences on the current calendar day at 12:00 a.m. and terminates at 11:59.59 p.m. the end of that calendar day.
- (14) "Dedicated camera" means a video camera which is set in a stationary position and continuously records all activity within the view of the camera.
- (15) "Drop" means the procedure to remove drop boxes from the tables.
- (16) "Drop Box" means a locked container permanently marked with the number corresponding to a permanent number on the card or domino table, into which chips are dropped.
- (17) "Facility" means the cardroom, any storage area for card or domino tables, cards, chips, dominoes, drop boxes, tip boxes, records relating to cardroom activity, and other cardroom supplies, the count room, and imprest vault.
- (18) "Fanning" means spreading a deck of cards or currency in front of the imprest tray so that each card or bill can be identified by surveillance cameras.
- (19) "Game" means the completion of all betting rounds and final determination of a winner based upon the comparison of all cards dealt and held by players at the end of all betting at a table.
- (20) "Hand" means the group of cards dealt to a player in a game.
- (21) "Imprest tray" means an area on a card table in which a predetermined dollar amount of chips or U.S. currency is kept by the dealer.
- (22) "Jackpot" means a cumulative pool of money collected from card games that is awarded to a player or players who holds a certain combination of cards specified by a cardroom operator.
- (23) "Licensee" means a person holding any license issued by the division for purposes of cardroom operations.
- (24) "Operate" means to conduct authorized games pursuant to Section 849.086, F.S., within a licensed cardroom facility. The term does not include the activities authorized in Rule 61D-11.012(4), F.A.C.
- (25) "Playing light" means drawing chips from the pot to show how much a player owes when the player is out of chips in an effort to allow a player to continue without chips, until more chips are earned.
- (26) "Pot" means the total amount wagered in a game or series of games of poker or dominoes.
- (27) "Proposition player" means a player who is employed by a cardroom licensee, but who uses his or her own money to initiate or play in games.

(28) "PTZ Camera" means a light-sensitive video camera that has pan, tilt, and zoom capability.

(29) "Raise" means to increase the size of the preceding bet.

(30) "Re-buy" means the additional tournament chips purchased by players according to the schedule of re-buys prominently displayed in the cardroom during tournament play.

(31) "Round of play" means, for any game of poker, the process by which cards are dealt, bets are placed, and the winner is determined and paid in accordance with the rules of Chapter 61D-11, F.A.C.

(32) "Seeding the jackpot fund" means the cardroom operator contributes the initial value to start the jackpot fund. The amount of the cardroom operator's contribution shall not be deducted from the jackpot fund prior to the award of the jackpot.

(33) "Shift" means a period of time designated by the employer during which an employee works when a licensed cardroom is open to conduct business pursuant to Rule 61D-11.012, F.A.C.

(34) "Shill" means a player in a game provided by or employed by a cardroom operator who only bets with money provided by the cardroom operator.

(35) "Showdown" means the point in a poker game in which all hands are fully revealed to all other players and the hand with the best combination becomes the winner.

(36) "Shuffle" means the process of mixing or rearranging a deck of cards to remove the probability that a predetermined series of cards may be drawn from the deck after it is mixed or rearranged.

(37) "Side bets" means additional wagers made between two or more persons on the outcome or any portion of an authorized game other than wagers authorized pursuant to Chapter 849, F.S.

(38) "Surveillance room" means a secure location in a pari-mutuel facility used for cardroom surveillance.

(39) "Surveillance system" means a system of video cameras, monitors, recorders, and other ancillary equipment used for cardroom surveillance.

(40) "Tip box" means a locked container into which tips or tokens must be inserted.

(41) "Toke" means tip.

(42) "Vault" means the secure location where chips and U.S. currency are maintained.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.002, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.002 Cardroom Games.

(1) Only those games listed in Section 849.086(2)(a), F.S., and approved by the division are authorized for play in licensed cardrooms.

(2) Cardroom operators shall submit requests for approval of games in division prescribed format and may include a video demonstration on a DVD.

(3) The cardroom operator shall:

(a) Furnish all cards, dominoes, and chips;

(b) Prominently display a list of all games available for play in the cardroom that are authorized pursuant to Chapter 849, F.S., and approved by the division; and

(c) Maintain a copy of the rules of play including wagering requirements which shall be made available to the division or to players upon request.

(4) The cardroom operator shall inform the division on a weekly basis of each person it refuses entry to its cardroom pursuant to Section 849.086(7)(g), F.S., which shall include the:

(a) Name and current address (if available) of the person refused entry;

(b) Date of the refusal;

(c) Reason for the refusal;

(d) Period of time; and

(e) Photo (if available).

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.003, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.003 Card-Play Hands.

(1) The ranking of cards in a poker hand shall be consistent with the rules of The New Complete Hoyle, Revised, 1991 Edition, or Hoyle's Modern Encyclopedia of Card Games, 1974 Edition, adopted herein by reference.

(2) If the joker is used in any game, the cardroom must prominently display within the cardroom area which games use the joker and how it will be ranked in a showdown.

(3) The dealer must shuffle the cards before a card game may be played.

(4) Cards, once completely shuffled, must be dealt out of the hand of the dealer.

(5) The "button" may be moved clockwise around the card table so that the player who has the button receives the advantage of playing and betting last.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.004, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.004 Dealer Responsibilities.

- (1) Dealers shall be rotated to a different table at least every three hours.
- (2) Dealers who receive currency from a player at a card table in exchange for chips must perform the following:
 - (a) Fan the currency on the top of the card table in front of the imprest tray;
 - (b) Verbally state the amount of currency received to a cardroom manager or supervisor;
 - (c) Provide an equivalent dollar amount of chips to the player; and
 - (d) Place all the currency in the imprest tray.
- (3) Dealers shall take breaks only in areas the cardroom operator has designated on the cardroom floor plan.
- (4) Dealers shall only accept tips or tokens while dealing at an assigned table, which must be accepted by:
 - (a) Showing the tip or token to the table's dedicated surveillance camera;
 - (b) Tapping the tip or token on the tip box; and
 - (c) Dropping the tip or token in the tip box.
- (5) Dealers shall not allow cash or other personal items to be placed on a table during the play of any hand.
- (6) Dealers shall clear their hands after every transaction when cash or chips are exchanged with or provided to a player.
- (7) For any jackpot paid at their table dealers shall sign Form DBPR PMW-3641, Jackpot Control Form, effective _____, adopted herein by reference, 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.
- (8) Dealers shall not allow a player to enter a card game at their table, except as provided in the cardroom operator's rules of play.

Rulemaking Specific Authority 550.0251(12), 849.086(4) F.S. Law Implemented 849.086 F.S. History—New 1-7-97, Amended 5-9-04, 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.005, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.005 Prohibitions.

- (1) Only cards, chips, or dominoes from the cardroom operator's facility shall be used in any authorized game.
- (2) No credit, loans, or gifts shall be made by any cardroom operator or employee to any person that would enable that person to play in an authorized game.
- (3) Prior to participation in any non-tournament game, a player's buy-in must be collected in full at the cashier's cage by cash or check in exchange for chips.
- (4) Only cash shall be used to purchase chips at card or domino tables.
- (5) Regular play chips may be converted to tournament chips only at the cashier cage.
- (6) Tournament chips may be purchased at designated podiums.
- (7) Playing light and side bets are prohibited.
- (8) Shills and proposition players are prohibited.
- (9) No person shall, directly or indirectly:
 - (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator;
 - (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator; or
 - (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.
- (10) Cardroom occupational licensees shall not participate in any cardroom games at the facility where they are employed.
- (11) No person shall engage in conduct that resists, obstructs, or opposes a division employee in the performance of his or her duties and responsibilities on the cardroom operator's premises.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04, 9-7-08,

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.006, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.006 Inspection of Premises, Records.

(1) The cardroom operator shall contact the division for an inspection for compliance with the provisions of Section 849.086, F.S., and Chapter 61D-11, F.A.C., no less than ten business days prior to:

(a) Opening a new cardroom; or

(b) Amending an existing cardroom area which, at a minimum, may include changing:

1. Number of tables;

2. Surveillance system;

3. Internal controls; or

4. Floor plan.

(2) If after inspection of the facility, the division determines that the cardroom operator is not in compliance with Section 849.086, F.S., or Chapter 61D-11, F.A.C., the division shall verbally notify the cardroom operator and provide the cardroom operator with a written list of deficiencies.

(3) The division shall conduct a re-inspection after receiving the cardroom operator's notification of corrections provided in writing pursuant to Rule 61D-11.0025, F.A.C.

(4) Subsequent inspections shall be performed according to this rule until the deficiencies noted are corrected.

(5) Upon satisfactory completion of corrective action, the division shall acknowledge in writing pursuant to Rule 61D-11.0025, F.A.C., that the cardroom operator may proceed with using the designated facility space.

(6) At any time cardroom business is being conducted, division personnel shall be allowed to enter into the cardroom and any cardroom supporting area.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.007, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.007 Cardroom Operator License.

(1) An applicant for an annual cardroom license shall submit for approval the following:

(a) A complete Form DBPR PMW-3160, Permitholder Application for Annual License to Operate a Cardroom, effective _____, adopted herein by reference, 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;

(b) A complete Form DBPR PMW-3080, Permitholder Calendar, effective _____, adopted herein by reference, 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;

(c) Written internal control procedures, required by Rule 61D-11.019, F.A.C.;

(d) A \$1,000.00 fee for each table to be operated during the license period; and

(e) Proof of authorization by a local government pursuant to Section 849.086(16), F.S. (with initial application only).

(2) For cardroom facilities at which more than one pari-mutuel permit is operated during a year, table fees for the facility may be paid by one or more of the permitholders.

(3) License fees are non-refundable.

(4) No amendment to a license application or amendment to request additional cardroom tables shall be effective until the division has received payment of cardroom table fees, inspected the surveillance requirements, and issued a license or amended license to operate a cardroom.

(5) Cardroom operations shall not begin under a cardroom license until the cardroom has been inspected and approved under Rule 61D-11.006, F.A.C., and:

(a) Live racing or gaming is being or has been conducted at the cardroom operator's pari-mutuel wagering facility under a license issued pursuant to Sections 550.01215 or 550.5251, F.S.; or

(b) Intertrack pari-mutuel wagering activities are authorized to be conducted at the cardroom operator's pari-mutuel wagering facility pursuant to Section 550.615, F.S.

Rulemaking Specific Authority 550.0251(12), 849.086(4), FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06, 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.008, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.008 Cardroom Business Occupational License.

(1) As part of the initial application or renewal for a cardroom business occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) For an initial cardroom business license, a complete Form DBPR PMW-3130, Business Occupational License Application, effective _____, adopted herein by reference, 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;

(b) The specified cardroom business occupational license fee;

(c) A complete set of fingerprints for each person listed in paragraph (3)(a) and fingerprint processing fees, as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, upon initial application and every five years thereafter;

(d) A list of all administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and any copies thereof as may be requested by the division; and

(e) A list of all business entities that will be providing products or services to the cardroom.

(2) A cardroom operator may not do business with any cardroom management company or cardroom or domino distributor that does not possess a current cardroom business occupational license.

(3) A business entity may not be issued or possess a cardroom business occupational license if any person or entity specified in paragraph (a) of this subsection has been determined by the division to be not of good moral character, to have filed a false report to any government agency or pari-mutuel wagering or gaming commission or authority, or has been convicted of any offense specified in paragraph (b) of this subsection.

(a) The specified persons are:

1. The cardroom business occupational licensee;

2. An employee of the licensee;

3. The sole proprietor operating under the license;

4. A corporate officer or director of the licensee;

5. A general partner of the licensee;

6. A trustee of the licensee;

7. A member of an unincorporated association of the licensee;

8. A joint venturer of the licensee; and

9. The owner of more than five percent of any equity interest in the licensee, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary; or

10. An owner of any interest in the licensee, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licensee, who by virtue thereof is able to control the business of the licensee.

(b) A felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state or under the laws of the United States; or a felony or misdemeanor set forth in Section 550.105, F.S.

(4) A conviction specified in paragraph (3)(b) of this rule does not constitute an absolute bar to the issuance or renewal of a license or grounds for the revocation or suspension of a license if the applicant has received a full pardon or a restoration of civil rights in accordance with Florida law and pursuant to Section 944.292, F.S.

(5) After notice, the division may refuse to issue or renew, or may suspend or revoke, the license of any licensee or applicant found in violation of paragraph (3)(b) of this rule.

(6) Certified Florida law enforcement officers are exempt from the fingerprint requirement.

(7) Cardroom business occupational licenses shall expire on June 30th of every year.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (6), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06, 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.009, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.009 Cardroom Employee Occupational License and Pari-Mutuel/Cardroom Combination License.

(1) Cardroom or pari-mutuel/cardroom combination licenses shall:

(a) Be required for:

1. Cardroom employees who take part in or officiate cardroom activity in any way;
2. All cardroom supervisors who are designated to supervise, take part in or officiate cardroom activity in any way;
3. Food service personnel who perform duties that require the licensee to perform any portion of duty within the cardroom area for any purpose;
4. Maintenance personnel who perform duties that require work within the cardroom area;
5. Security personnel who perform duties that require the licensee's presence in the cardroom area for any purpose;
6. Mutuels teller personnel who perform duties that require the licensee to come into contact with any aspect of cardroom activity, financial activity, management or administration of cardroom information in any way;
7. Count room personnel; or
8. Permitholder management responsible for any aspect of management, supervision, administration or similar functions, or take part in or officiate cardroom activity in any way.

(b) Not be required for:

1. Incidental transit through the cardroom area during which time the individual in no way:
 - a. Comes in contact with cardroom furnishings, table tops, patrons or patron personal property, lockboxes or similar secured items, surveillance equipment or associated support equipment, surrounding structure for any incidental duty that enables in any way unrestricted access to the above-listed items; or
 - b. Takes part in or officiates cardroom activity in any way;
2. Incidental maintenance work performed under the direct and constant visual supervision of an individual possessing a current cardroom or pari-mutuel/cardroom combination license; and
3. Food service personnel who perform duties that do not at any time require the employee's presence within the cardroom area.

(2) As part of the initial application or renewal for a cardroom employee occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) For an initial cardroom employee license, a complete Form DBPR PMW-3120, Individual Occupational License Application, effective _____, adopted herein by reference, 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;

(b) A complete set of fingerprints on a pari-mutuel wagering applicant fingerprint card and fingerprint processing fee as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, upon initial application and every five years thereafter;

(c) The cardroom employee occupational license fee, unless qualified pursuant to Sections 205.171 and 1.01, F.S., of:

1. \$50.00 for a one-year, or \$150.00 for a three-year, cardroom employee occupational license;
2. \$40.00 for a one-year, or \$120.00 for a three-year, pari-mutuel/cardroom supervisor combination license; or
3. \$10.00 for a one-year, or \$30.00 for a three-year, pari-mutuel/cardroom employee combination license.

(d) A copy of all records of administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and a copy of each complaint or other pleading and a copy of any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

(3) Applicants who intend to work in a position providing food service, maintenance, security, or as a mutuels teller, or in permitholder management, shall apply for a pari-mutuel/cardroom combination occupational license by submitting items (2)(a) through (d) listed above.

(4) The following applicants are exempt from the fingerprint requirement:

(a) Certified Florida law enforcement officers; and

(b) An applicant who is 70 years of age or older, provided that such applicant submits \$24.00 for a background information records check through the Florida Department of Law Enforcement.

(5) All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error or the applicant withdraws the application before processing begins.

(6) Request for waiver of any disqualifying factors in an application that would otherwise be grounds for disapproving the application shall be made on Form DBPR PMW-3180, Request for Waiver, effective _____, adopted herein by reference, 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.

(7) A current pari-mutuel wagering occupational licensee who intends to work in a position performing food service, maintenance, security, mutuels teller, count room, and/or permitholder management duties in the cardroom shall make application for and obtain an upgrade for his or her current pari-mutuel license to a pari-mutuel/cardroom combination license on Form DBPR PMW-3170, License Upgrade Application, effective _____, adopted herein by reference, 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.

(8) Cardroom employee occupational licenses and pari-mutuel/cardroom combination licenses shall expire on June 30th of every year.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (6) FS. Law Implemented 849.086(6) FS. History--New 1-7-97, Amended 5-9-04, 3-4-07, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.012, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.012 Duties of Cardroom Operators.

(1) Pursuant to Section 849.086(7)(b), F.S., a cardroom may only be operated a cumulative amount of 18 hours per day, Monday through Friday, and 24 hours per day on Saturday and Sunday, starting midnight Friday night and ending midnight Sunday night, as well as on the holidays specified in Section 110.117(1), F.S.

(2) A cardroom operator shall:

(a) Conspicuously display a notice of the rake amounts, time limitations, or other rake procedures, and any facility implemented bet limits at each card and domino table;

(b) Display its hours of operation in a conspicuous location at each cardroom entrance and as set forth in the application or renewal of the cardroom operator's license, or in the notice of change in the cardroom operator's hours of operation as required in paragraph (c) below;

(c) Submit proposed changes to the normal days and hours of cardroom operation to the division in writing at least three days prior to proposed implementation, and notify the division in writing of any temporary changes to the normal hours of operation within 24 hours of when the change occurs, including any addition of hours on a holiday specified in Section 110.117(1), F.S.;

(d) Allow only the following activities to be conducted during a period of up to one hour prior to or a period of up to one hour after the cumulative hours of operation, when operating less than 24-hour days:

1. Buying or cashing out of chips;
2. Seating cardroom customers at cardroom tables; or
3. Completing tournament buy-ins or cash outs.

(e) Not permit the following activities to occur during a period of up to one hour prior to or a period of up to one hour after the cumulative hours of operation, when operating less than 24-hour days:

1. The handling of the decks of cards by the dealers or dominoes by the dominoes supervisors, even if a deck of cards or dominoes are present on the table; or
2. The commencement, implementation, or conclusion of authorized game play.

(f) Provide the following in its internal controls:

1. Procedures to assure that each cardroom operator's funds are managed and accounted for separately; and
2. Count procedures as required in paragraph 61D-11.0175(5)(o), F.A.C.

(g) Display the following restrictions at each cardroom entrance:

1. A player must be at least 18 years of age;
2. No side bets are permitted; and
3. No credit is extended by the house.

(h) Establish a system for using imprest trays and cardroom vaults for cardroom operations, which shall provide for:

1. Maximum amounts of currency permitted to be maintained in imprest trays;
2. Imprest trays that are lockable and equipped with removable covers; and
3. A procedure to require that the movement of imprest trays between the cardroom vault and cardroom tables is under constant surveillance coverage.

(i) Issue a photo identification card or badge to all cardroom employees which shall, at a minimum, include on the front of the identification card or badge:

1. The name of the cardroom facility;
2. The employee's name; and
3. The employee's occupational license number and expiration date.

(j) Designate and assign a licensed cardroom employee as a dealer for each cardroom table that is being used for play who shall be present at his or her assigned table during all gaming activity;

(k) Designate and assign a licensed cardroom employee as a cardroom manager or supervisor during the operation of the cardroom who shall be present within the licensed cardroom facility at all times during gaming activity;

(l) Not allow gaming at a cardroom table during the absence of the designated dealer, nor in the cardroom during the absence of the designated manager or supervisor;

(m) Make at least one licensed cardroom employee the supervisor of dominoes, who may not supervise more than eight dominoes tables;

(n) Maintain a list of all cardroom employees, which list shall be submitted to the division weekly and shall contain:

1. The employee's:

a. Name;

b. Job title; and

c. Occupational license number.

2. A weekly schedule by shift and position of all employees who worked during each week; and

3. A list of employees who resigned or were terminated the previous week and, if terminated, the reason therefor.

(o) Provide the division, upon license renewal, information on any current management company operating the cardroom, as well as 20 days written notice of any change in the management company contract;

(p) Notify the division of any change in companies providing services within 10 days of such change on Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, effective _____, adopted herein by reference, 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;

(q) Reconcile, at the close of each shift, the chips and currency in the imprest tray at each table to the beginning balances in accordance with the approved cardroom internal controls;

(r) Remove all drop boxes at the end of the hours of operation for each gaming day and lock them in a secure location until the count takes place.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 4-12-06, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.013, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.013 Display of Identification and Possession of Occupational Licenses.

All cardroom employee occupational licensees shall:

- (1) Wear their facility issued photo identification while on duty;
- (2) Not hide their photo identification from any patron or from surveillance cameras; and
- (3) Have their occupational license in their possession at all times while on duty.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.0149, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.0149 Dominoes Supervisors.

(1) The dominoes supervisor shall be responsible for oversight of the play of dominoes for the tables which includes:

(a) Collecting any fee for participation;

(b) Exchanging cash for chips;

(c) Inspecting dominoes for compliance with Rule 61D-11.0145, F.A.C., before the set is made available for play; and

(d) Reporting any side betting to management pursuant to internal controls.

(2) Dominoes supervisors shall:

(a) Take breaks only in areas designated by the cardroom operator in the cardroom floor plan; and

(b) Not allow cash or any other personal items to be placed on a table during the play of any game of dominoes.

(3) Each cardroom operator providing dominoes for play shall provide internal controls for the interaction between the impresario and the dominoes supervisor.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 9-7-08, Amended _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.014, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.014 Cards.

(1) The cardroom operator shall only use plastic cards designed to eliminate the ability of any person to place concealed markings on the cards.

(2) Cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed in any way from the originally manufactured state shall not be used.

(3) Decks of playing cards intended for use in a cardroom licensed facility shall be locked in a secure dual locked cabinet within the vault.

(4) Each dealer assigned to a card table shall inspect each deck of playing cards intended for use at that table.

(5) Inspection of the deck of playing cards shall commence prior to the start of play.

(6) The assigned dealer must ensure that cards are not deformed or damaged in any way from the originally manufactured state of the cards.

(7) When a deformed or damaged card is discovered, its entire deck shall be:

(a) Immediately removed from play before play may resume;

(b) Visibly marked as damaged; and

(c) Placed in a sealed envelope or container that is:

1. Marked with the table number, the date, and time the deck was withdrawn from play; and

2. Signed by the cardroom supervisor who shall print and sign his or her name and occupational license number across the seal of the envelope or container.

(8) All decks marked as damaged shall be retained for at least 14 days from the date of withdrawal from play.

(9) Dealers shall:

(a) Inspect all cards in the deck of cards provided for play at his or her card table prior to beginning card play; and

(b) Exchange or rotate the deck of cards with another approved deck of cards at least every six hours.

(10) If the cardroom uses automated card shuffling devices:

(a) Two decks of cards shall be used;

(b) The backs of the cards in the two decks shall be of different colors;

(c) One deck shall be shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game; and

(d) Both decks shall be continuously alternated in and out of play, with each deck being used for every other game.

(11) Internal controls shall provide for the regular ongoing inventory of the total number of decks of cards in the vault, in a bound log book, by a cardroom manager or supervisor, with security verification, which shall include;

(a) Any decks of cards added from new card orders;

(b) Any decks removed for play in the cardroom;

(c) Any decks removed from play and placed in the vault;

(d) Any decks removed from the vault for destruction; and

(e) The total ending inventory after each transaction.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 5-9-04, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.015, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.015 Chips and Tokens.

(1) All chips not in play or which are not available for play or use that day shall be locked in a secure cabinet within the vault under surveillance.

(2) Daily records must be kept for all chips issued including date, time, and table to which they were issued, the denomination(s), and total value.

(3) Each chip used in regular play must contain a predominant standard gaming color unique to the denomination as follows:

(a) \$1.00 (one dollar) is white in color;

(b) \$2.50 (two dollars and fifty cents) is pink in color;

(c) \$5.00 (five dollars) is red in color;

(d) \$10.00 (ten dollars) is blue in color;

(e) \$20.00 (twenty dollars) is yellow in color;

(f) \$25.00 (twenty-five dollars) is green in color;

(g) \$100.00 (one hundred dollars) is black in color;

(h) \$500.00 (five hundred dollars) is purple in color;

(i) \$1,000.00 (one thousand dollars) is orange in color;

(j) \$5,000.00 (five thousand dollars) is gray in color;

(k) \$20,000.00 (twenty thousand dollars) is mustard yellow in color; and

(l) \$25,000.00 (twenty-five thousand dollars) is gold in color.

(4) Regular play chips:

(a) May have a secondary color on their edge that contrasts with the chip's primary color, which secondary color may be another chip's primary color, unless such would cause confusion as to the chip's denomination when the edge alone is visible;

(b) Shall, when viewed through electronic video surveillance, include a design, pattern, or other feature that readily identifies the denomination of the chip when stacked with other chips and only the edge of the chip is visible;

(c) Shall be redeemed by the cardroom operator for the appropriate cash value; and

(d) May be accepted by other facilities and exchanged for the value of the chip between facilities.

(5) Tournament chips shall:

(a) Be distinguishable from all other chips used at the cardroom facility;

(b) Not be redeemable for anything of value;

(c) Be purchased at a buy-in or registration; and

(d) Be used to compute the total points accumulated and the winner or winners of a tournament.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 4-12-06, 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.016, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.016 Card and Domino Tables.

(1) Cardroom tables shall have:

(a) Imprest trays that are either securely locked to the table or removed at the end of play and transported to the vault; and

(b) Drop box slots for rakes and tips, unless the cardroom tables are used for tournament play.

(2) Domino tables shall be square with clearly designated areas located at each of the two or four corners of the table for:

(a) The placement of wagers; and

(b) The payment of participation fees.

(3) The surface of a domino table shall be one solid color that will not interfere with the ability of the surveillance system to clearly identify each domino played or the value of chips in the wagering area.

(4) There shall be no impost tray on a domino table.

(5) Card games shall only be played on card tables.

(6) Dominoes shall only be played on domino tables.

(7) Each cardroom table shall have a number permanently affixed to the table that is readily identifiable by that table's dedicated camera.

(8) A cardroom gaming floor may not have more or fewer tables than shown on the division approved floor plan.

(9) Unused and unlicensed tables must be stored inside a designated non-public area.

(10) All cardroom tables shall be inspected for approval prior to their use.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 4-12-06, 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.0175, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.0175 Count Rooms and Count Procedures.

(1) Each cardroom operator must have a count room that shall include:

(a) Reinforced solid doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened;

(b) Clear lexan or similar tables designated for counting chips;

(c) A secured cabinet or enclosure to house regular, jackpot, or emergency drop boxes while not in use or prior to being counted;

(d) Dedicated cameras as required by Rule 61D-11.025(7)(a), F.A.C.;

(e) A manual dual key or electronic box to house release keys and contents keys to the drop box which shall be signed out or electronically recorded according to Rule 61D-11.020(4), F.A.C.; and

(f) Any other item or equipment used for counting purposes only, which has been approved by the division.

(2) The cardroom chip count shall be independent from any other count in the count room.

(3) Internal controls for cardroom drops shall, at a minimum, include procedures for:

(a) Ensuring that drop boxes are removed from tables and transported to the count room or other secure area by two employees, at least one of whom shall be independent from cardroom operations.

(b) Establishing a count team consisting of a count team supervisor and at least two count team members, with the count team supervisor being the count recorder;

(c) Requiring a security escort for the count team;

(d) Rotating count team members so that the team is not the same three individuals more than any three days per week;

(e) Prohibiting the cardroom manager or supervisor from participating in the count activities;

(f) Requiring all count team members:

1. Enter the count room as a group;

2. Wear a full-length, one-piece, short sleeved, pocket-less outer garment with openings for the arms, feet, and neck only;

3. Wear the outer garment fully zipped up at all times while in the count room; and

4. Carry no personal items into the count room, other than those items needed for medical necessity;

(g) Requiring the count team supervisor record, in writing, the name and occupational license number of each count team member and on any personnel entering or exiting the count room during the count process.

(h) Ensuring that:

1. If a count team member has to leave the count room, all count team members:

a. Cease the count;

b. Secure all chips in the count room; and

c. Leave the count room together.

2. All count team members are inspected before leaving the count room; and

3. Count team members do not re-enter the count room until all count team members are present.

(i) Reconciling and the dual count of all chips;

(j) Emptying the contents of each drop box on the count table;

(k) Ensuring that:

1. Content keys are not removed from the count table until the completion of the count;

2. Each drop box is counted separately;

3. Another box is not opened while a box is on the count table;

4. Once empty, the inside of the drop box and drop box number is shown in full view of a surveillance camera with the box number called out verbally; and

5. After each drop box has been viewed and counted, the empty drop box is locked and placed in a locked cabinet in the count room.

(l) Requiring the count team recorder to record the following on a count report:

1. The table number to which each drop box contents corresponds;

2. The value of each denomination of chips counted;

3. The total value of all denominations of chips counted;

4. The gaming date and shift if more than one count is conducted per day; and

5. The total number of all drop boxes opened and counted.

(m) Resolving count discrepancies;

(n) Reconciling count records to the totals on the Monthly Remittance Reports required in Rule 61D-11.018(2),

F.A.C.; and

(o) Ensuring that:

1. The doors to the count room remain locked, except to allow authorized entrance to individuals; and

2. Each count report is signed by the count team members, including the count team supervisor.

(4) Card or domino play shall cease at each table during a drop.

(5) Internal controls shall provide, at the end of a count, that:

(a) Security personnel inspect:

1. The room and all counting equipment to verify that no chips remain in the room; and

2. Any trash containers prior to removal from the count room and ensure only clear bags are used in the count room.

(b) Corrections to the count originally recorded by the count team, or to any count documentation, are made by crossing out the error, entering the correct figure, and entering the initials of at least two employees who verified the change;

(c) The fill or credit report for each imprest tray is reconciled to the count documentation;

(d) The verified and signed count documents are delivered to the accounting department immediately after all count procedures are completed;

(e) The accounting department calculate and record the total drop for that gaming day based upon the verified and signed count documents; and

(f) The cardroom drop revenue is reconciled to an increase in the vault cash balance.

(6) At the close of each shift, but not less than once daily, the cardroom operator shall:

(a) Count and record the amount of chips and currency for each imprest tray;

(b) Replenish the imprest tray to its beginning balance through exchange; and

(c) Confirm that the cardroom manager or supervisor has verified the replenishment of each imprest tray.

(7) At the end of each gaming day, the cardroom operator shall provide physical security for:

(a) Clearing the cardroom floor;

(b) The drop; and

(c) The count of the drop.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 9-7-08, Amended

_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.018, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.018 Reporting Requirements to Determine Net Proceeds or Gross Revenues.

(1) Each cardroom operator shall maintain a copy of monthly records related to the cardroom activities on the premises, which shall clearly show:

(a) All operating revenues, expenses, and net proceeds totals for harness or thoroughbred permitholders, used for the calculation and payment of purses pursuant to Sections 849.086(2)(k) and (13)(d), F.S., and shall:

1. Be maintained on site;
2. Be available to the division upon request; and
3. Clearly substantiate all net proceeds calculations.

(b) Gross revenues totals for greyhound and jai alai permitholders.

(2) For each license operated, cardroom operators shall file with the division, by the fifth day of each month for the preceding month's cardroom activity, a separate Form DBPR PMW-3640, Cardroom Monthly Remittance Report, effective _____, adopted herein by reference, 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.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 4-12-06, 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.019, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.019 Internal Controls System.

(1) Each cardroom licensee shall submit internal controls for implementation in division approved format to ensure compliance with Section 849.086, F.S. and Chapter 61D-11, F.A.C.

(2) Each cardroom licensee shall submit to the division a current written description of internal controls by July 30 of each year.

(3) Each cardroom licensee's internal controls shall include the following:

(a) Administrative controls which include the procedures and records that detail authorization of transactions;

(b) Accounting controls which shall require that:

1. Transactions are executed in accordance with management's general authorization;

2. Transactions are recorded to permit preparation of financial statements in conformity with generally accepted accounting principles;

3. Access to assets is permitted only in accordance with management authorization; and

4. Recorded accountability for assets are compared with existing assets at set intervals and corrective action is taken for any differences.

(c) A floor plan of the cardroom that shall:

1. Be maintained in the surveillance room.

2. Be based on a readable scale and show the placement or location of the following:

a. Each cardroom table and its corresponding table number;

b. Security cameras and other surveillance equipment;

c. Vault, count room and cashiers' cage;

d. The designated cardroom gaming area, which shall be separated by controlled entry and exit points where the cardroom operator checks identifications to ensure no person under 18 years of age is allowed access to the cardroom gaming area;

e. The surveillance system monitoring room; and

f. The designated cardroom employee break area that limits opportunities for dealer and player personal interaction.

(4) Each submission of internal controls shall include a statement signed by the cardroom licensee's chief executive officer, general manager, director of surveillance, director of security, cardroom manager, chief financial officer, and compliance manager or their equivalents that the submitted internal controls conform to the requirements of Section 849.086, F.S., and Chapter 61D-11, F.A.C.

(5) The division shall evaluate the internal controls of each applicant for a cardroom license for evidence that the following standards are met:

(a) An audit trail that permits the review of cardroom operations or the reconstruction of gross revenue transactions;

(b) The segregation of functions; and

(c) The inclusion of all forms or documents referenced therein or required by Section 849.086, F.S., and Chapter 61D-11, F.A.C.

(6) A current version of the internal controls shall be maintained in the cardroom, accounting, and surveillance departments of the cardroom licensee.

(7) Each cardroom licensee shall maintain copies of previous internal controls pursuant to the requirements of Rule 61D-11.019, F.A.C.

(8) The internal controls shall include procedures for the establishment of a patron signature file if such a file is utilized by the cardroom licensee.

(9) Failure of a cardroom licensee to implement any required internal control or comply with a division approved internal control is a violation of this rule.

(10) Cardroom operators shall submit revisions to the internal controls in a Microsoft Word format, underlining additions and striking through deletions with a date of revisions in the footnote or other area.

(11) All internal controls must be submitted to the division for approval at least 30 days prior to implementation.

(12) Internal controls shall provide for:

(a) Security during the exchange of drop boxes when patrons remain in the cardroom; and

(b) The daily reconciling of all cardroom vault transactions.

(13) Cardroom operators shall include in their internal controls:

(a) Security controls that limit access into the cashiers' cage; and

(b) A requirement for a list of every employee granted access to the cashiers' cage, and his or her individual occupational license number, that must be maintained on the cashiers' cage door, in the security office, and surveillance room at all times.

(14) A requirement that the cardroom operator perform internal audits of the internal control procedures once annually 30 days prior to license renewal.

(15) Internal audit documentation must:

(a) Include a footnote as to the date the audit is conducted;

(b) Include page numbers for each page of the audit;

(c) Include documentation of material exceptions to internal controls; and

(d) Be provided to the division within 30 days of the date the internal audit is performed.

(16) Internal controls must include:

(a) A requirement for the destruction of all:

1. Card decks that have been in play for three months; and

2. Domino sets that have been in play for six months.

(b) Methodology for administration of flat fee or time limited rakes for each game played in the cardroom, to include:

1. The amount of the flat fee rake the cardroom operator designates; or

2. The time period for and amount of each time limited rake.

(c) A procedure for the use of cardroom chips to purchase pari-mutuel tickets that:

1. Identify chip value to purchase pari-mutuel tickets;

2. Convert the cardroom chips to cash; and

3. Return all cardroom chips to the cashiers' cage at the end of each shift.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.020, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.020 Drop Box and Key Control Procedures.

(1) Each cardroom operator shall develop and use a lock and key control system maintained by the security department that limits or restricts access to secure compartments, drop boxes, and areas as identified in the internal controls.

(2) Drop boxes shall have a two lock system keyed separately from one another, of which:

(a) A release key will release the boxes from the tables; and

(b) A contents key will open the boxes.

(3) Each drop box shall be marked with a permanent number corresponding to the table number to which the drop box is assigned.

(4) All access to keys shall be documented in a log that shall include:

(a) A predesignated key number;

(b) The date and time each key is signed out;

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

(d) The name and occupational license number of the security person escorting the employee with the key; and

(e) The date and time each key is returned.

(5) Each system shall have the ability to audit the movement of any key.

(6) Each cardroom operator's security department shall implement measures for:

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

(b) Addressing broken locks;

(c) Issuing replacement keys; and

(d) Destroying keys and locks.

(7) The drop box count shall comply with Rule 61D-11.0175, F.A.C., and the internal controls.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 9-7-08, _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.022, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.022 Cardroom ~~Imprest Bank and Card Table~~ Imprest Trays.

(1) Each cardroom operator shall designate in its internal controls the maximum currency amount permitted in an imprest tray.

(2) A cardroom operator shall designate a secure area for storing imprest trays not in use.

(3) Cardroom chips and currency shall be physically maintained separately from any other currency of the pari-mutuel wagering facility, except that chips may be used to purchase pari-mutuel tickets if the cardroom internal controls include procedures for converting the designated chips back to cash and returning that cash to the cardroom.

(4) When a card table imprest tray is replenished, the dealer shall verify the impressments to surveillance coverage by:

(a) Stacking chips in numbers of twenty (20) and breaking the stack down into fives; and

(b) Fanning the currency in front of the imprest tray to verify each bill in the transaction.

(5) The supervisor shall verify the value of the transferred chips and currency the dealer has counted.

(6) When a runner is used to purchase chips for a patron, the money shall be handed to the dealer who shall:

(a) Fan the currency in front of the imprest tray to verify each bill in the transaction to surveillance coverage;

and

(b) Then hand the money to the runner to proceed to the cage to purchase the patron's chips.

(7) The vault or cashiers' cage must be a secure area where unused imprest trays are stored and must have:

(a) Access limited to those persons authorized in the internal controls; and

(b) A written list of all authorized entrants, as provided in the internal controls, posted on the cashiers' cage door at all times.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.0251, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.0251 Security Plans.

(1) A cardroom operator shall submit a security plan for approval:

(a) With its initial application for license; and

(b) With all license renewal applications.

(2) The security plan shall include:

(a) A floor plan as required pursuant to Rule 61D-11.019, F.A.C.;

(b) A description of the surveillance system and equipment used if separate from the cardroom surveillance;

(c) A diagram showing all areas to be monitored by the security department and the surveillance system equipment that will be used to provide coverage of the designated area outside of the cardroom and support areas covered by the cardroom surveillance;

(d) The procedures that shall be used:

1. In the operation of the surveillance system;

2. For all security alarms or security alert systems; and

3. For clearing the designated cardroom area of all patrons.

(e) An annual drill or test of emergency response;

(f) Procedures to assure that, upon implementation of law enforcement or emergency operation, no cardroom activity shall resume in an area designated as secured by a responding law enforcement or emergency service provider, until the responsible responding law enforcement or emergency service provider has granted clearance to again use that designated area; except that this requirement shall not apply in the event any security alarm or alert is activated for a drill or test;

(g) Procedures for security escort and surveillance of access to the cardroom areas by either non-licensed employees of the cardroom operator or employees of non-licensed businesses who might require incidental access to the cardroom or supporting areas, which shall include:

1. Prohibiting any individual under the age of 18 years from entering or being escorted into the cardroom area;

2. Requiring the cardroom operator's pre-approval of any individual seeking escorted access to the cardroom or supporting areas; and

3. Listing of all individuals approved for escorted access to the cardroom or supporting area that shall include the individual's name, job title, driver's license number, date of birth, home address, and name of the individual's employer.

(h) A description of each security officer or employee position, which shall include:

1. Duties;

2. Assignments; and

3. Responsibilities;

(i) The minimum number of security employees required for each shift and their designated location for that shift;

(j) Procedures for handling incidents requiring the assignment of a security officer or employee;

(k) Plans to provide for access to the security camera monitoring area or room;

(l) The radio protocol and a description of authorized radio codes to be used; and

(m) Training requirements and procedures for the cardroom employees and officers.

(3) An emergency action plan shall be created for areas of concern described in this paragraph which must, at a minimum, address the following:

(a) Natural disasters, such as hurricanes, to include procedures for effecting a complete and secure shutdown of the cardroom gaming facility;

(b) Preparation for and response to a fire, including evacuation plans;

(c) Preparation for and response to a bomb or terrorist threat and attack;

(d) Training for all employees specifically addressing:

1. Location and use of alarm activation devices, alarms, and alerts; and

2. Response to incidents of violent crime, including robbery, armed robbery, and hostage situations.

(e) Conduct of at least semi-annual emergency action plan drills with documentation of the date and list of those trained.

(4) The cardroom operator shall submit any change for the security plan to the division for approval, prior to implementation.

(5) Every cardroom operator shall:

(a) Have a contingency power source; and

(b) Be capable of operating all security and surveillance equipment during periods when commercial power is interrupted for all cardroom and related areas until:

1. Commercial power is restored; or

2. The cardroom operator's facility is evacuated of all personnel, secured from unauthorized entry, and closed for any cardroom activity until commercial power is restored.

(6) The cardroom operator shall notify the division of any event which requires additional staffing.

Rulemaking Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.025, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.025 Cardroom Electronic Surveillance.

(1) Each cardroom operator shall maintain and continuously operate an on-site electronic surveillance system within its cardroom facility.

(2) The surveillance system and equipment shall employ digital electronic technology with an acuity and clarity no less than that provided by magnetic tape systems, which shall:

(a) Record to a quality of 4 Common Intermediate Format (CIF);

(b) Have recording capabilities of no less than 30 frames per second;

(c) Be viewable on a monitor; and

(d) Include date and time generators that display the accurate (real) date and time in the recording of a particular event.

(3) The surveillance system shall utilize light sensitive cameras with pan, tilt, and zoom (PTZ) capabilities and dedicated cameras that can be placed behind domes or one-way mirrors which conceal the cameras from view and permit clear, unobstructed views with sufficient video monitors to simultaneously cover the following vantage points:

(a) Patrons, spectators, cardroom employees with an assigned table, and other persons in the cardroom area with sufficient clarity to permit identification of such persons;

(b) Movement of chips or currency used for play, imprest trays, drop boxes, tip boxes, and other gaming equipment within the cardroom;

(c) All areas and activities occurring within the count rooms, with audio-capability, during any occupancy;

(d) All cardroom cashiers' cages, podiums, or work stations, with sufficient clarity to permit identification of all transactions, cash, and paperwork conducted therein;

(e) Each individual cardroom table, with sufficient clarity as to determine all cards or dominoes in play, the denomination of any bill or chip used, and the identification numbers affixed to each table; and

(f) All unauthorized or excluded persons present in the cardroom.

(4) The cardroom surveillance system shall also be capable of detecting and recording cheating, theft, embezzlement, or any other activity considered illegal or inconsistent with Chapter 61D-11, F.A.C., or Section 849.086, F.S.

(5) Only trained security or surveillance personnel shall be assigned the duties of conducting cardroom surveillance.

(6) Cardroom operators and managers shall have access to view live coverage of patrons, spectators, and cardroom dealers, or prior recordings of all other areas while under security or surveillance supervision.

(7) Different capability levels of cameras shall be:

(a) Dedicated cameras for viewing:

1. Each cardroom table with continuous sufficient clarity to enable identification of all cards or dominoes in play, the denomination of any bill or chip used, imprest trays, drop box openings, and the identification numbers affixed to each table;

2. The tournament buy-in and registration area;

3. The cashiers' cage, open cashiers' drawers, vault, and count room tables; and

4. The surveillance room.

(b) PTZ cameras that cover all areas not covered by dedicated cameras, as stated in paragraph (7)(a) of this rule, which shall:

1. Permit facial identification of each player at their respective cardroom table positions; and

2. Be capable of immediately switching to another PTZ camera to obtain or maintain facial identification.

(8) The surveillance room shall:

(a) Be located so that its entrance is not readily visible or accessible to the general public;

(b) Not be used for any other purpose;

(c) Limit access to authorized security or surveillance personnel;

(d) Permit access by cardroom operator or manager under security or surveillance supervision; and

(e) Be monitored with dedicated camera coverage.

(9) Each camera required by this rule must be installed in a manner that will prevent it from being obstructed, tampered with, or disabled.

(10) There shall be adequate lighting in all areas of the cardroom to enable camera coverage of sufficient quality

to produce clear recordings.

(11) The licensee shall notify the division, via facsimile transmission or email, within 24 hours of discovery of any surveillance equipment malfunction.

(12) During hours of operation, if the vault, count room, cashiers' cage, transportation route for chips or currency, or any cardroom table is affected by a surveillance malfunction, security personnel shall be physically present until surveillance coverage is restored.

(13) If the malfunction is not repaired within 24 hours after notification to the division, the cardroom operator shall:

(a) Stop play at the table or tables in any area for which there is no adequate camera coverage; and

(b) Delay the count procedure until camera coverage is restored.

(14) All electronic surveillance recordings shall:

(a) Be maintained for at least 14 days;

(b) Be copied to a DVD and labeled in chronological order by date and time of recording, if requested by the division;

(c) Be retained for a period of time longer than 14 days if requested by the division or any law enforcement agency; and

(d) Be provided to the division or any law enforcement agency in a format which allows independent viewing.

(15) The surveillance system must possess the capability to monitor, identify, and record the activities of the patrons and dealers at each table in a manner that provides complete camera coverage at all times.

(16) Each operator shall maintain a log of all surveillance activities in the surveillance room that includes:

(a) The beginning and ending date and time of each surveillance recording;

(b) The full name and occupational license number of the person who initiates, performs, or supervises the surveillance viewing, coverage, and recording;

(c) A brief description of the activity for which monitoring was initiated, including:

1. The name of the individual being monitored, if known; and

2. The physical description of the individual being monitored;

(d) The person who requested the specific surveillance coverage if other than the security person assigned to the surveillance equipment;

(e) The time each suspected criminal or regulatory offense is observed, and a notation of the reading on the meter, counter, or device that identifies the point on the recording that such offense was recorded; and

(f) The date and time that any equipment malfunction began and repair was completed.

(17) The surveillance system shall provide back-up for video or audio recording during the repair and replacement time.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History--New 10-21-97, Amended 9-7-08,_____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.0275, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.0275 Tournaments.

(1) Each cardroom operator prior to tournament play shall determine:

(a) The method for charging house and tournament fees for participation in a tournament of poker or dominoes;

(b) The point values of chips;

(c) The number of chips each participant will receive upon buy-in or registration;

(d) The allowance and use of blinds;

(e) The allowance and use of re-buys;

(f) The distribution of winnings;

(g) The process to ensure that chips will not be redeemed for cash or any other thing of value; and

(h) The procedures for reporting winnings that reach the Internal Revenue Service threshold.

(2) The appearance of tournament chips shall be visually distinct from those used in regular play.

(3) As a part of its internal controls, each cardroom operator shall:

(a) Ensure cash received for entry fees shall be separate from all other cash received by the cardroom operator for regular cardroom gaming until such time as all cash is counted;

(b) Ensure the monthly remittance report filed with the division in conjunction with the report required by Section 849.086(13), F.S., includes an aggregate accounting of:

1. The amount collected for games played in a tournament per player;

2. The total amount of participation fees collected;

3. The total number of participants;

4. The total amount distributed to winning participants;

5. The taxable gross receipts amount; and

6. The calculation of total tax due for the tournament.

(c) Maintain a log of all tournaments played with a separate entry for each type of daily tournament containing the information in paragraphs (4)(a) through (f) of this rule, and reconcile the log of tournament activity to the information provided in the monthly remittance report in paragraph (3)(b);

(d) Maintain a log of all tournament winners and prize pool recipients on Form DBPR PMW-3642, Tournament Control Form, effective _____, adopted herein by reference, 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

(e) Retain a copy of all forms required to be filed with the Internal Revenue Service.

(4) All amounts that are not ultimately paid out as prize pool winnings shall be included in taxable gross receipts for that tournament.

(5) The tournament rules must be available to all patrons and the division upon request.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 9-7-08, Amended _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-11.0279, F.A.C. follows. See Florida Administrative Code for present text.)

61D-11.0279 Jackpots, Prizes, and Giveaways.

- (1) Cardroom operators participating in jackpots shall:
 - (a) Post their jackpot rules, including:
 1. The specific hands that constitute a winner;
 2. The amount of a payout that will be won with each specific hand; and
 3. The details regarding seeding the jackpot fund.
 - (b) Post the jackpot rake for each authorized game in the cardroom.
- (2) All jackpot drop boxes shall:
 - (a) Be installed on the left hand side of tables or another area of the table as approved by the division;
 - (b) Have all jackpot rakes placed into the jackpot drop box by the dealer;
 - (c) Have a permanently affixed "JP" and number that corresponds to the table to which the drop box is assigned that is of sufficient size to be readily determinable through surveillance coverage; and
 - (d) Be dropped and counted daily using drop procedures set forth in Rule 61D-11.0175, F.A.C.
- (3) Jackpot revenues shall:
 - (a) Be counted separately;
 - (b) Not be commingled with other monies; and
 - (c) Be deposited daily into a separate non-interest bearing bank account or held as cash on hand.
- (4) Jackpot revenue retained as cash on hand shall be:
 - (a) Held in a secure location under continuous surveillance coverage as specified in the internal controls;
 - (b) Available for payment of winning jackpots for the following day; and
 - (c) Retrieved the next day for payment of jackpots.
- (5) After the daily jackpot count and reconciliation, the beginning daily jackpot balances, by type, shall be displayed prominently within the cardroom.
- (6) All jackpot accounting records shall:
 - (a) Include a detailed ledger with all credits, debits, and jackpot amounts carried forward to the jackpot from the prior playing day;
 - (b) Be maintained to account for each different jackpot offered; and
 - (c) Be attested to by the count team supervisor and finance department.
- (7) All jackpot payouts shall be made in accordance with the cardroom's internal controls.
- (8) If jackpot thresholds are established, upon reaching the jackpot maximum threshold, the series of cards specified as the winning jackpot hand shall be changed to a series of cards with a higher probability of occurring.
- (9) The cardroom operator shall:
 - (a) For each day of cardroom activity, and each different jackpot, maintain a separate Form DBPR PMW-3605, Daily Tracking of Cardroom Jackpot, effective _____, adopted herein by reference, 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;
 - (b) Maintain a log of jackpot payouts on Form DBPR PMW-3641, Jackpot Control Form, adopted by reference in Rule 61D-11.004, F.A.C.; and
 - (c) Retain a copy of all forms required to be filed with the Internal Revenue Service.
- (10) A jackpot, prize, or giveaway shall only be awarded to a player holding a combination of cards specified by the cardroom operator.
- (11) The transaction for a giveaway or prize must be a separate transaction from any buy-in or re-buy.
- (12) Jackpot contributions may be a part of a buy-in or re-buy if the jackpot portion of the buy-in or re-buy is fully disclosed and accounted for separately.
- (13) The jackpot pool shall not be used for any purpose except payment of jackpots.

(14) If jackpot funds from multiple cardroom permit holders operating within a market area and under the same ownership are combined to make one collective jackpot pool, the internal controls must include procedures to:

(a) Notify each cardroom that participates in contributing to the collective jackpot fund when a winning jackpot claim occurs, which shall include:

1. The method of notification;

2. The specified timeframe in which the notification shall occur; and

3. The employee positions that will be notified at each participating cardroom facility.

(b) Verify a winning jackpot claim;

(c) Address the possibility of near simultaneous jackpot claims;

(d) Ensure:

1. The time accounting in the internal video surveillance systems are synchronized for the multiple locations; and

2. The jackpot pool will be split equally between the multiple claimants when review of surveillance recordings confirm that two or more simultaneous claims are made within 300 seconds of each other.

(e) Notify cardroom patrons of a jackpot claim, which shall include:

1. The announcement at each participating cardroom when a jackpot claim occurs and when such claim is confirmed; and

2. The display, by each participating cardroom, of the jackpot balance(s) as required in subsection (5) of this rule.

(f) Ensure that the accounting and tracking of the jackpot shall be made only on Form DBPR PMW-3605, Daily Tracking of Cardroom Jackpot, adopted by reference in this Rule above, which shall be completed:

1. Separately for each location; and

2. Combined for all locations.

Rulemaking Specific Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 9-7-08, Amended _____.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-11.030 Cardroom Vaults.

(1) If a cardroom operator maintains a cardroom vault for the purpose of storing chips, cards, or currency, the cardroom operator shall locate the vault so that it is not readily visible or accessible to the general public.

(2) The vault must include, at a minimum:

(a) A solid reinforced entrance door equipped with locks;

(b) At least one single lock cabinet to separately secure chips and currency;

(c) At least one dual lock cabinet to secure cards, of which at least one key will be maintained by security; and

(d) Dedicated cameras as required by Rule 61D-11.025(7)(a), F.A.C.

(3) Cardroom operators shall submit the list of personnel authorized to enter the vault, with their initial internal controls, which list shall include those persons who:

(a) Are authorized to enter the vault and their occupational license numbers;

(b) Have the combination, keys, or the mechanism to open the locks to the entrance of the vault; and

(c) Are authorized to operate the vault alarm system.

(4) Cardroom operators must limit entry into the vault to authorized personnel only and post a current list with the names and occupational license numbers of those persons on the vault's door at all times.

(5) The accounting department shall have principal responsibility for supervision of the vault.

(6) The storage or removal of chips, cards, or currency from vaults shall be documented, with the amount of chips, cards, and currency reconciled daily.

Rulemaking Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-11.031 Cashiers' Cage, Satellite Cages, and Accounting Controls.

(1) Each licensed cardroom shall have in, or immediately adjacent to the designated cardroom gaming area, a physical structure known as a cashiers' cage ("cage") to house the cashiers and to serve as the central location for the following:

(a) Custody of currency and chips;

(b) Custody of forms, documents, and records normally associated with the operation of a cage;

(c) Issuance, receipt, and reconciliation of imprest funds used by cardroom runners in the acceptance of currency for chips;

(d) Exchange of currency and chips;

(e) Responsibility for the overall reconciliation of all documentation generated by cashiers; and

(f) Any other function specified in the internal controls for operation of the cage.

(2) The cage shall be designed and constructed to provide security for the materials housed and the activities performed therein, and shall, at a minimum:

(a) Be fully enclosed, except for openings through which cash, chips, records, and documents can be exchanged with the public;

(b) Be accessible only through a key locked solid reinforced entrance door; and

(c) Have dedicated cameras as required by Rule 61D-11.025(7)(a), F.A.C., that shall continuously record all activities and transactions in the cage.

(3) At the end of each shift, the cashiers assigned to the outgoing shift shall:

(a) Record on a daily cashiers' count sheet the face value of each cage inventory item counted;

(b) Record the total of the opening and closing cage inventories; and

(c) Reconcile the total closing inventory with the total opening inventory.

(4) At the opening of every shift, in addition to the imprest funds normally maintained by the cashiers, each cardroom operator shall have on hand in the cage, or readily available, jackpot funds to pay winning patrons.

(5) At the end of each cardroom operation day, a copy of the cashiers' count sheets and related documentation shall be forwarded to the accounting department for agreement of:

(a) Opening and closing inventories; and

(b) Amounts on other forms, records, and supporting documentation required by this rule.

Rulemaking Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New _____.