

HB 843

2012

1 A bill to be entitled
 2 An act relating to the state lottery; amending s.
 3 24.105, F.S.; deleting a provision relating to player-
 4 activated vending machines; conforming provisions to
 5 changes made by the act; amending s. 24.111, F.S.;
 6 revising the requirement that the Department of the
 7 Lottery lease certain vending machines; amending s.
 8 24.112, F.S.; allowing vending machines to dispense
 9 lottery tickets if certain requirements are met;
 10 providing an effective date.

11

12 Be It Enacted by the Legislature of the State of Florida:

13

14 Section 1. Paragraph (a) of subsection (9) of section
 15 24.105, Florida Statutes, is amended to read:

16 24.105 Powers and duties of department.—The department
 17 shall:

18 (9) Adopt rules governing the establishment and operation
 19 of the state lottery, including:

20 (a) The type of lottery games to be conducted, except
 21 that:

22 1. No name of an elected official shall appear on the
 23 ticket or play slip of any lottery game or on any prize or on
 24 any instrument used for the payment of prizes, unless such prize
 25 is in the form of a state warrant.

26 2. No coins or currency shall be dispensed from any
 27 electronic computer terminal or device used in any lottery game.

28 3. Other than as specifically provided in s. 24.112

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29 ~~subparagraph 4.~~, no terminal or device may be used for any
 30 lottery game which may be operated solely by the player without
 31 the assistance of the retailer.

32 ~~4. The only player-activated machine which may be utilized~~
 33 ~~is a machine which dispenses instant lottery game tickets~~
 34 ~~following the insertion of a coin or currency by a ticket~~
 35 ~~purchaser. To be authorized a machine must: be under the~~
 36 ~~supervision and within the direct line of sight of the lottery~~
 37 ~~retailer to ensure that the machine is monitored and only~~
 38 ~~operated by persons at least 18 years of age; be capable of~~
 39 ~~being electronically deactivated by the retailer to prohibit use~~
 40 ~~by persons less than 18 years of age through the use of a~~
 41 ~~lockout device that maintains the machine's deactivation for a~~
 42 ~~period of no less than 5 minutes; and be designed to prevent its~~
 43 ~~use or conversion for use in any manner other than the~~
 44 ~~dispensing of instant lottery tickets. Authorized machines may~~
 45 ~~dispense change to players purchasing tickets but may not be~~
 46 ~~utilized for paying the holders of winning tickets of any kind.~~
 47 ~~At least one clerk must be on duty at the lottery retailer while~~
 48 ~~the machine is in operation. However, at least two clerks must~~
 49 ~~be on duty at any lottery location which has violated s.~~
 50 ~~24.1055.~~

51 Section 2. Paragraph (h) of subsection (2) of section
 52 24.111, Florida Statutes, is amended to read:

53 24.111 Vendors; disclosure and contract requirements.—

54 (2) The department shall investigate the financial
 55 responsibility, security, and integrity of each vendor with
 56 which it intends to negotiate a contract for major procurement.

57 Such investigation may include an investigation of the financial
 58 responsibility, security, and integrity of any or all persons
 59 whose names and addresses are required to be disclosed pursuant
 60 to paragraph (a). Any person who submits a bid, proposal, or
 61 offer as part of a major procurement must, at the time of
 62 submitting such bid, proposal, or offer, provide the following:

63 (h) The department shall lease all ~~instant ticket~~ vending
 64 machines that dispense online lottery tickets, instant lottery
 65 tickets, or both online and instant lottery tickets.

66
 67 The department shall not contract with any vendor who fails to
 68 make the disclosures required by this subsection, and any
 69 contract with a vendor who has failed to make the required
 70 disclosures shall be unenforceable. Any contract with any vendor
 71 who does not comply with such requirements for periodically
 72 updating such disclosures during the tenure of such contract as
 73 may be specified in such contract may be terminated by the
 74 department. This subsection shall be construed broadly and
 75 liberally to achieve the ends of full disclosure of all
 76 information necessary to allow for a full and complete
 77 evaluation by the department of the competence, integrity,
 78 background, and character of vendors for major procurements.

79 Section 3. Subsection (15) is added to section 24.112,
 80 Florida Statutes, to read:

81 24.112 Retailers of lottery tickets; authorization of
 82 vending machines to dispense lottery tickets.-

83 (15) A vending machine may be used to dispense online
 84 lottery tickets, instant lottery tickets, or both online and

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85 instant lottery tickets.

86 (a) The vending machine must:

87 1. Dispense a lottery ticket after a purchaser inserts a
88 coin or currency in the machine.

89 2. Be capable of being electronically deactivated for a
90 period of 5 minutes or more.

91 3. Be designed to prevent its use for any purpose other
92 than dispensing a lottery ticket.

93 (b) In order to be authorized to use a vending machine to
94 dispense lottery tickets, a retailer must:

95 1. Locate the vending machine in the retailer's direct
96 line of sight to ensure that purchases are only made by persons
97 at least 18 years of age.

98 2. Ensure that at least one employee is on duty when the
99 vending machine is available for use. However, if the retailer
100 has previously violated s. 24.1055, at least two employees must
101 be on duty when the vending machine is available for use.

102 (c) A vending machine that dispenses a lottery ticket may
103 dispense change to a purchaser but may not be used to redeem any
104 type of winning lottery ticket.

105 (d) The vending machine, or any machine or device linked
106 to the vending machine, may not include or make use of video
107 reels or mechanical reels or other video depictions of slot
108 machine or casino game themes or titles for game play. This does
109 not preclude the use of casino game themes or titles on such
110 tickets or signage or advertising displays on the machines.

111 Section 4. This act shall take effect July 1, 2012.