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LEGISLATIVE ACTION

Senate

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House

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The Committee on Gaming (Sachs) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 50 and 51

insert:

Section 2. Subsection (11) of section 550.002, Florida Statutes, is amended to read:

550.002 Definitions.—As used in this chapter, the term:

(11) "Full schedule of live racing or games" means, for a ~~greyhound or~~ jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or



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12 filed an application on or before June 1, 1990, for a converted  
13 permit, the conduct of a combination of at least 100 live  
14 evening and matinee wagering performances during either of the 2  
15 preceding years; for a jai alai permitholder who does not  
16 operate slot machines in its pari-mutuel facility, who has  
17 conducted at least 100 live performances per year for at least  
18 10 years after December 31, 1992, and whose handle on live jai  
19 alai games conducted at its pari-mutuel facility has been less  
20 than \$4 million per state fiscal year for at least 2 consecutive  
21 years after June 30, 1992, the conduct of a combination of at  
22 least 40 live evening or matinee performances during the  
23 preceding year; for a jai alai permitholder who operates slot  
24 machines in its pari-mutuel facility, the conduct of a  
25 combination of at least 150 performances during the preceding  
26 year; for a harness permitholder, the conduct of at least 100  
27 live regular wagering performances during the preceding year;  
28 for a quarter horse permitholder at its facility unless an  
29 alternative schedule of at least 20 live regular wagering  
30 performances is agreed upon by the permitholder and either the  
31 Florida Quarter Horse Racing Association or the horsemen's  
32 association representing the majority of the quarter horse  
33 owners and trainers at the facility and filed with the division  
34 along with its annual date application, in the 2010-2011 fiscal  
35 year, the conduct of at least 20 regular wagering performances,  
36 in the 2011-2012 and 2012-2013 fiscal years, the conduct of at  
37 least 30 live regular wagering performances, and for every  
38 fiscal year after the 2012-2013 fiscal year, the conduct of at  
39 least 40 live regular wagering performances; for a quarter horse  
40 permitholder leasing another licensed racetrack, the conduct of



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41 160 events at the leased facility; and for a thoroughbred  
42 permitholder, the conduct of at least 40 live regular wagering  
43 performances during the preceding year. For a permitholder which  
44 is restricted by statute to certain operating periods within the  
45 year when other members of its same class of permit are  
46 authorized to operate throughout the year, the specified number  
47 of live performances which constitute a full schedule of live  
48 racing or games shall be adjusted pro rata in accordance with  
49 the relationship between its authorized operating period and the  
50 full calendar year and the resulting specified number of live  
51 performances shall constitute the full schedule of live games  
52 for such permitholder and all other permitholders of the same  
53 class within 100 air miles of such permitholder. A live  
54 performance must consist of no fewer than eight races or games  
55 conducted live for each of a minimum of three performances each  
56 week at the permitholder's licensed facility under a single  
57 admission charge. Beginning in the 2014-2015 fiscal year, a  
58 greyhound permitholder is not required to conduct a minimum  
59 number of live performances.

60 Section 3. Subsection (1) of section 550.01215, Florida  
61 Statutes, is amended to read:

62 550.01215 License application; periods of operation; bond,  
63 conversion of permit.-

64 (1) Each permitholder shall annually, during the period  
65 between December 15 and January 4, file in writing with the  
66 division its application for a license to conduct performances,  
67 if any, during the next state fiscal year. Each application  
68 shall specify the number, dates, and starting times of all  
69 performances which the permitholder intends to conduct. It shall



70 also specify which performances will be conducted as charity or  
71 scholarship performances. In addition, each application for a  
72 license shall include, for each permitholder which elects to  
73 operate a cardroom, the dates and periods of operation the  
74 permitholder intends to operate the cardroom or, for each  
75 thoroughbred permitholder which elects to receive or rebroadcast  
76 out-of-state races after 7 p.m., the dates for all performances  
77 which the permitholder intends to conduct. Permitholders may  
78 ~~shall be entitled to~~ amend their applications through February  
79 28 except that, for licenses for the 2014-2015 fiscal year, a  
80 greyhound permitholder may amend or relinquish such license  
81 through August 31, 2014.

82 Section 4. Subsections (1), (7), and (8) of section  
83 550.0351, Florida Statutes, are amended to read:

84 550.0351 Charity racing days.—

85 (1) The division shall, upon the request of a permitholder,  
86 authorize each horseracing permitholder, ~~dogracing permitholder,~~  
87 and jai alai permitholder up to five charity or scholarship days  
88 in addition to the regular racing days authorized by law.

89 ~~(7) In addition to the charity days authorized by this~~  
90 ~~section, any dogracing permitholder may allow its facility to be~~  
91 ~~used for conducting "hound dog derbies" or "mutt derbies" on any~~  
92 ~~day during each racing season by any charitable, civic, or~~  
93 ~~nonprofit organization for the purpose of conducting "hound dog~~  
94 ~~derbies" or "mutt derbies" if only dogs other than those usually~~  
95 ~~used in dogracing (greyhounds) are permitted to race and if~~  
96 ~~adults and minors are allowed to participate as dog owners or~~  
97 ~~spectators. During these racing events, betting, gambling, and~~  
98 ~~the sale or use of alcoholic beverages is prohibited.~~



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99            (7)~~(8)~~ In addition to the eligible charities that meet the  
100 criteria set forth in this section, a jai alai permitholder is  
101 authorized to conduct two additional charity performances each  
102 fiscal year for a fund to benefit retired jai alai players. This  
103 performance shall be known as the "Retired Jai Alai Players  
104 Charity Day." The administration of this fund shall be  
105 determined by rule by the division.

106            Section 5. Paragraph (b) of subsection (14) of section  
107 550.054, Florida Statutes, is amended to read:

108            550.054 Application for permit to conduct pari-mutuel  
109 wagering.—

110            (14)

111            (b) The division, upon application from the holder of a jai  
112 alai permit meeting all conditions of this section, shall  
113 convert the permit and shall issue to the permitholder a permit  
114 to conduct greyhound racing. ~~A permitholder of a permit~~  
115 ~~converted under this section shall be required to apply for and~~  
116 ~~conduct a full schedule of live racing each fiscal year to be~~  
117 ~~eligible for any tax credit provided by this chapter.~~ The holder  
118 of a permit converted pursuant to this subsection or any holder  
119 of a permit to conduct greyhound racing located in a county in  
120 which it is the only permit issued pursuant to this section who  
121 operates at a leased facility pursuant to s. 550.475 may move  
122 the location for which the permit has been issued to another  
123 location within a 30-mile radius of the location fixed in the  
124 permit issued in that county, provided the move does not cross  
125 the county boundary and such location is approved under the  
126 zoning regulations of the county or municipality in which the  
127 permit is located, and upon such relocation may use the permit



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128 for the conduct of pari-mutuel wagering and the operation of a  
129 cardroom. The provisions of s. 550.6305(9)(d) and (f) shall  
130 apply to any permit converted under this subsection and shall  
131 continue to apply to any permit which was previously included  
132 under and subject to such provisions before a conversion  
133 pursuant to this section occurred.

134 Section 6. Subsections (1) and (3) of section 550.0951,  
135 Florida Statutes, are amended to read:

136 550.0951 Payment of daily license fee and taxes;  
137 penalties.—

138 (1) ~~(a)~~ DAILY LICENSE FEE.—Each person engaged in the  
139 business of conducting horserace meets ~~race meetings~~ or jai alai  
140 games under this chapter, hereinafter referred to as the  
141 “permitholder,” “licensee,” or “permittee,” shall pay to the  
142 division, for the use of the division, a daily license fee on  
143 each live or simulcast pari-mutuel event of \$100 for each  
144 horserace and ~~\$80 for each dograce~~ and \$40 for each jai alai  
145 game conducted at a racetrack or fronton licensed under this  
146 chapter. ~~In addition to the tax exemption specified in s.~~  
147 ~~550.09514(1) of \$360,000 or \$500,000 per greyhound permitholder~~  
148 ~~per state fiscal year, each greyhound permitholder shall receive~~  
149 ~~in the current state fiscal year a tax credit equal to the~~  
150 ~~number of live greyhound races conducted in the previous state~~  
151 ~~fiscal year times the daily license fee specified for each~~  
152 ~~dograce in this subsection applicable for the previous state~~  
153 ~~fiscal year. This tax credit and the exemption in s.~~  
154 ~~550.09514(1) shall be applicable to any tax imposed by this~~  
155 ~~chapter or the daily license fees imposed by this chapter except~~  
156 ~~during any charity or scholarship performances conducted~~



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157 ~~pursuant to s. 550.0351.~~ Each permitholder shall pay daily  
158 license fees not to exceed \$500 per day on any simulcast races  
159 or games on which such permitholder accepts wagers regardless of  
160 the number of out-of-state events taken or the number of out-of-  
161 state locations from which such events are taken. This license  
162 fee shall be deposited with the Chief Financial Officer to the  
163 credit of the Pari-mutuel Wagering Trust Fund.

164 ~~(b) Each permitholder that cannot utilize the full amount~~  
165 ~~of the exemption of \$360,000 or \$500,000 provided in s.~~  
166 ~~550.09514(1) or the daily license fee credit provided in this~~  
167 ~~section may, after notifying the division in writing, elect once~~  
168 ~~per state fiscal year on a form provided by the division to~~  
169 ~~transfer such exemption or credit or any portion thereof to any~~  
170 ~~greyhound permitholder which acts as a host track to such~~  
171 ~~permitholder for the purpose of intertrack wagering. Once an~~  
172 ~~election to transfer such exemption or credit is filed with the~~  
173 ~~division, it shall not be rescinded. The division shall~~  
174 ~~disapprove the transfer when the amount of the exemption or~~  
175 ~~credit or portion thereof is unavailable to the transferring~~  
176 ~~permitholder or when the permitholder who is entitled to~~  
177 ~~transfer the exemption or credit or who is entitled to receive~~  
178 ~~the exemption or credit owes taxes to the state pursuant to a~~  
179 ~~deficiency letter or administrative complaint issued by the~~  
180 ~~division. Upon approval of the transfer by the division, the~~  
181 ~~transferred tax exemption or credit shall be effective for the~~  
182 ~~first performance of the next payment period as specified in~~  
183 ~~subsection (5). The exemption or credit transferred to such host~~  
184 ~~track may be applied by such host track against any taxes~~  
185 ~~imposed by this chapter or daily license fees imposed by this~~



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186 ~~chapter. The greyhound permitholder host track to which such~~  
187 ~~exemption or credit is transferred shall reimburse such~~  
188 ~~permitholder the exact monetary value of such transferred~~  
189 ~~exemption or credit as actually applied against the taxes and~~  
190 ~~daily license fees of the host track. The division shall ensure~~  
191 ~~that all transfers of exemption or credit are made in accordance~~  
192 ~~with this subsection and shall have the authority to adopt rules~~  
193 ~~to ensure the implementation of this section.~~

194 (3) TAX ON HANDLE.—Each permitholder shall pay a tax on  
195 contributions to pari-mutuel pools, the aggregate of which is  
196 hereinafter referred to as "handle," on races or games conducted  
197 by the permitholder. The tax is imposed daily and is based on  
198 the total contributions to all pari-mutuel pools conducted  
199 during the daily performance. If a permitholder conducts more  
200 than one performance daily, the tax is imposed on each  
201 performance separately.

202 (a) The tax on handle for quarter horse racing is 1.0  
203 percent of the handle.

204 (b)1. The tax on handle for dogracing is 1.28 ~~5.5~~ percent  
205 of the handle, ~~except that for live charity performances held~~  
206 ~~pursuant to s. 550.0351, and for intertrack wagering on such~~  
207 ~~charity performances at a guest greyhound track within the~~  
208 ~~market area of the host, the tax is 7.6 percent of the handle.~~

209 2. The tax on handle for jai alai is 7.1 percent of the  
210 handle.

211 (c)1. The tax on handle for intertrack wagering is 2.0  
212 percent of the handle if the host track is a horse track, 3.3  
213 percent if the host track is a harness track, 1.28 ~~5.5~~ percent  
214 if the host track is a dog track to be remitted by the guest





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215 track, and 7.1 percent if the host track is a jai alai fronton.  
216 The tax on handle for intertrack wagering is 0.5 percent if the  
217 host track and the guest track are thoroughbred permitholders or  
218 if the guest track is located outside the market area of a  
219 nongreyhound ~~the~~ host track and within the market area of a  
220 thoroughbred permitholder currently conducting a live race meet.  
221 The tax on handle for intertrack wagering on rebroadcasts of  
222 simulcast thoroughbred horseraces is 2.4 percent of the handle  
223 and 1.5 percent of the handle for intertrack wagering on  
224 rebroadcasts of simulcast harness horseraces. The tax shall be  
225 deposited into the Pari-mutuel Wagering Trust Fund.

226 2. If the host facility is a jai alai permitholder, the tax  
227 on handle for intertrack wagers is accepted by any dog track  
228 ~~located in an area of the state in which there are only three~~  
229 ~~permitholders, all of which are greyhound permitholders, located~~  
230 ~~in three contiguous counties, from any greyhound permitholder~~  
231 ~~also located within such area or any dog track or jai alai~~  
232 ~~fronton located as specified in s. 550.615(6) or (9), on races~~  
233 ~~or games received from the same class of permitholder located~~  
234 ~~within the same market area is 3.9 percent if the host facility~~  
235 ~~is a greyhound permitholder and, if the host facility is a jai~~  
236 ~~alai permitholder, the rate shall be 6.1 percent except that it~~  
237 shall be 2.3 percent on handle at such time as the total tax on  
238 intertrack handle paid to the division by the permitholder  
239 during the current state fiscal year exceeds the total tax on  
240 intertrack handle paid to the division by the permitholder  
241 during the 1992-1993 state fiscal year.

242 (d) Notwithstanding any other provision of this chapter, in  
243 order to protect the Florida jai alai industry, effective July



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244 1, 2000, a jai alai permitholder may not be taxed on live handle  
245 at a rate higher than 2 percent.

246 Section 7. Section 550.09514, Florida Statutes, is amended  
247 to read:

248 550.09514 Greyhound dogracing taxes; purse requirements.-

249 ~~(1) Wagering on greyhound racing is subject to a tax on~~  
250 ~~handle for live greyhound racing as specified in s. 550.0951(3).~~  
251 ~~However, each permitholder shall pay no tax on handle until such~~  
252 ~~time as this subsection has resulted in a tax savings per state~~  
253 ~~fiscal year of \$360,000. Thereafter, each permitholder shall pay~~  
254 ~~the tax as specified in s. 550.0951(3) on all handle for the~~  
255 ~~remainder of the permitholder's current race meet. For the three~~  
256 ~~permitholders that conducted a full schedule of live racing in~~  
257 ~~1995, and are closest to another state that authorizes greyhound~~  
258 ~~pari-mutuel wagering, the maximum tax savings per state fiscal~~  
259 ~~year shall be \$500,000. The provisions of this subsection~~  
260 ~~relating to tax exemptions shall not apply to any charity or~~  
261 ~~scholarship performances conducted pursuant to s. 550.0351.~~

262 (1)-(2) (a) The division shall determine for each greyhound  
263 permitholder the annual purse percentage rate of live handle for  
264 the state fiscal year 1993-1994 by dividing total purses paid on  
265 live handle by the permitholder, exclusive of payments made from  
266 outside sources, during the 1993-1994 state fiscal year by the  
267 permitholder's live handle for the 1993-1994 state fiscal year.  
268 A greyhound ~~Each~~ permitholder conducting live racing during a  
269 fiscal year shall pay as purses for such live races conducted  
270 during its current race meet a percentage of its live handle not  
271 less than the percentage determined under this paragraph,  
272 exclusive of payments made by outside sources, for its 1993-1994



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273 state fiscal year.

274 (b) Except as otherwise set forth herein, in addition to  
275 the minimum purse percentage required by paragraph (a), each  
276 greyhound permitholder conducting live racing during a fiscal  
277 year shall pay as purses an annual amount of \$60 for each live  
278 race conducted equal to 75 percent of the daily license fees  
279 paid by the greyhound each permitholder in for the preceding  
280 1994-1995 fiscal year. This purse supplement shall be disbursed  
281 weekly during the permitholder's race meet in an amount  
282 determined by dividing the annual purse supplement by the number  
283 of performances approved for the permitholder pursuant to its  
284 annual license and multiplying that amount by the number of  
285 performances conducted each week. For the greyhound  
286 permitholders in the county where there are two greyhound  
287 permitholders located as specified in s. 550.615(6), such  
288 permitholders shall pay in the aggregate an amount equal to 75  
289 percent of the daily license fees paid by such permitholders for  
290 the 1994-1995 fiscal year. These permitholders shall be jointly  
291 and severally liable for such purse payments. The additional  
292 purses provided by this paragraph must be used exclusively for  
293 purses other than stakes and shall be disbursed weekly during  
294 the permitholder's race meet. The division shall conduct audits  
295 necessary to ensure compliance with this section.

296 (c)1. Each greyhound permitholder, when conducting at least  
297 three live performances during any week, shall pay purses in  
298 that week on wagers it accepts as a guest track on intertrack  
299 and simulcast greyhound races at the same rate as it pays on  
300 live races. Each greyhound permitholder, when conducting at  
301 least three live performances during any week, shall pay purses



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302 in that week, at the same rate as it pays on live races, on  
303 wagers accepted on greyhound races at a guest track which is not  
304 conducting live racing and is located within the same market  
305 area as the greyhound permitholder conducting at least three  
306 live performances during any week.

307 2. Each host greyhound permitholder shall pay purses on its  
308 simulcast and intertrack broadcasts of greyhound races to guest  
309 facilities that are located outside its market area in an amount  
310 equal to one quarter of an amount determined by subtracting the  
311 transmission costs of sending the simulcast or intertrack  
312 broadcasts from an amount determined by adding the fees received  
313 for greyhound simulcast races plus 3 percent of the greyhound  
314 intertrack handle at guest facilities that are located outside  
315 the market area of the host and that paid contractual fees to  
316 the host for such broadcasts of greyhound races.

317 (d) The division shall require sufficient documentation  
318 from each greyhound permitholder regarding purses paid on live  
319 racing to assure that the annual purse percentage rates paid by  
320 each greyhound permitholder conducting ~~on the~~ live races are not  
321 reduced below those paid during the 1993-1994 state fiscal year.  
322 The division shall require sufficient documentation from each  
323 greyhound permitholder conducting live races to assure that the  
324 purses paid by each permitholder on the greyhound intertrack and  
325 simulcast broadcasts are in compliance with the requirements of  
326 paragraph (c).

327 (e) In addition to the purse requirements of paragraphs  
328 (a)-(c), each greyhound permitholder conducting live races shall  
329 pay as purses an amount equal to one-third of the amount of the  
330 tax reduction on live and simulcast handle applicable to such



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331 permitholder as a result of the reductions in tax rates provided  
332 by s. 6 of chapter 2000-354, Laws of Florida ~~this act through~~  
333 ~~the amendments to s. 550.0951(3)~~. With respect to intertrack  
334 wagering when the host and guest tracks are greyhound  
335 permitholders not within the same market area, an amount equal  
336 to the tax reduction applicable to the guest track handle as a  
337 result of the reduction in tax rate provided by s. 6 of chapter  
338 2000-354, Laws of Florida, ~~this act through the amendment to s.~~  
339 ~~550.0951(3)~~ shall be distributed to the guest track, one-third  
340 of which amount shall be paid as purses at the guest track.  
341 However, if the guest track is a greyhound permitholder within  
342 the market area of the host or if the guest track is not a  
343 greyhound permitholder, an amount equal to such tax reduction  
344 applicable to the guest track handle shall be retained by the  
345 host track, one-third of which amount shall be paid as purses at  
346 the host track. These purse funds shall be disbursed in the week  
347 received if the permitholder conducts at least one live  
348 performance during that week. If the permitholder does not  
349 conduct at least one live performance during the week in which  
350 the purse funds are received, the purse funds shall be disbursed  
351 weekly during the permitholder's next race meet in an amount  
352 determined by dividing the purse amount by the number of  
353 performances approved for the permitholder pursuant to its  
354 annual license, and multiplying that amount by the number of  
355 performances conducted each week. The division shall conduct  
356 audits necessary to ensure compliance with this paragraph.

357 (f) Each greyhound permitholder conducting live racing  
358 shall, during the permitholder's race meet, supply kennel  
359 operators and the Division of Pari-Mutuel Wagering with a weekly



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360 report showing purses paid on live greyhound races and all  
361 greyhound intertrack and simulcast broadcasts, including both as  
362 a guest and a host together with the handle or commission  
363 calculations on which such purses were paid and the transmission  
364 costs of sending the simulcast or intertrack broadcasts, so that  
365 the kennel operators may determine statutory and contractual  
366 compliance.

367 (g) Each greyhound permitholder conducting live racing  
368 shall make direct payment of purses to the greyhound owners who  
369 have filed with such permitholder appropriate federal taxpayer  
370 identification information based on the percentage amount agreed  
371 upon between the kennel operator and the greyhound owner.

372 (h) At the request of a majority of kennel operators under  
373 contract with a greyhound permitholder conducting live racing,  
374 the permitholder shall make deductions from purses paid to each  
375 kennel operator electing such deduction and shall make a direct  
376 payment of such deductions to the local association of greyhound  
377 kennel operators formed by a majority of kennel operators under  
378 contract with the permitholder. The amount of the deduction  
379 shall be at least 1 percent of purses, as determined by the  
380 local association of greyhound kennel operators. ~~No~~ Deductions  
381 may not be taken pursuant to this paragraph without a kennel  
382 operator's specific approval before or after the effective date  
383 of this act.

384 (2)~~(3)~~ For the purpose of this section, the term "live  
385 handle" means the handle from wagers placed at the  
386 permitholder's establishment on the live greyhound races  
387 conducted at the permitholder's establishment.

388 Section 8. Subsection (2) of section 550.1625, Florida



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389 Statutes, is amended to read:

390 550.1625 Dogracing; taxes.-

391 (2) A permitholder that conducts a dograce meet under this  
392 chapter must pay ~~the daily license fee,~~ the admission tax,~~the~~  
393 ~~breaks tax,~~ and the tax on pari-mutuel handle as provided in s.  
394 550.0951 and is subject to all penalties and sanctions provided  
395 in s. 550.0951(6).

396 Section 9. Section 550.1647, Florida Statutes, is repealed.

397 Section 10. Section 550.1648, Florida Statutes, is amended  
398 to read:

399 550.1648 Greyhound adoptions.-

400 ~~(1) A Each dogracing permitholder conducting live racing at~~  
401 ~~operating a dogracing facility in this state shall provide for a~~  
402 ~~greyhound adoption booth to be located at the facility.~~

403 (1) The greyhound adoption booth must be operated on  
404 weekends by personnel or volunteers from a bona fide  
405 organization that promotes or encourages the adoption of  
406 greyhounds pursuant to s. 550.1647. Such bona fide organization,  
407 as a condition of adoption, must provide sterilization of  
408 greyhounds by a licensed veterinarian before relinquishing  
409 custody of the greyhound to the adopter. The fee for  
410 sterilization may be included in the cost of adoption. As used  
411 in this section, the term "weekend" includes the hours during  
412 which live greyhound racing is conducted on Friday, Saturday, or  
413 Sunday, and the term "bona fide organization that promotes or  
414 encourages the adoption of greyhounds" means an organization  
415 that provides evidence of compliance with chapter 496 and  
416 possesses a valid exemption from federal taxation issued by the  
417 Internal Revenue Service. Information pamphlets and application



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418 forms shall be provided to the public upon request.

419       (2) ~~In addition,~~ The kennel operator or owner shall notify  
420 the permitholder that a greyhound is available for adoption and  
421 the permitholder shall provide information concerning the  
422 adoption of a greyhound in each race program and shall post  
423 adoption information at conspicuous locations throughout the  
424 dogracing facility. Any greyhound that is participating in a  
425 race and that will be available for future adoption must be  
426 noted in the race program. The permitholder shall allow  
427 greyhounds to be walked through the track facility to publicize  
428 the greyhound adoption program.

429       ~~(2) In addition to the charity days authorized under s.~~  
430 ~~550.0351, a greyhound permitholder may fund the greyhound~~  
431 ~~adoption program by holding a charity racing day designated as~~  
432 ~~"Greyhound Adopt-A-Pet Day." All profits derived from the~~  
433 ~~operation of the charity day must be placed into a fund used to~~  
434 ~~support activities at the racing facility which promote the~~  
435 ~~adoption of greyhounds. The division may adopt rules for~~  
436 ~~administering the fund. Proceeds from the charity day authorized~~  
437 ~~in this subsection may not be used as a source of funds for the~~  
438 ~~purposes set forth in s. 550.1647.~~

439       (3) (a) Upon a violation of this section by a permitholder  
440 or licensee, the division may impose a penalty as provided in s.  
441 550.0251(10) and require the permitholder to take corrective  
442 action.

443       (b) A penalty imposed under s. 550.0251(10) does not  
444 exclude a prosecution for cruelty to animals or for any other  
445 criminal act.

446       Section 11. Subsection (1) of section 550.26165, Florida





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447 Statutes, is amended to read:

448 550.26165 Breeders' awards.—

449 (1) The purpose of this section is to encourage the  
450 agricultural activity of breeding and training racehorses in  
451 this state. Moneys dedicated in this chapter for use as  
452 breeders' awards and stallion awards are to be used for awards  
453 to breeders of registered Florida-bred horses winning horseraces  
454 and for similar awards to the owners of stallions who sired  
455 Florida-bred horses winning stakes races, if the stallions are  
456 registered as Florida stallions standing in this state. Such  
457 awards shall be given at a uniform rate to all winners of the  
458 awards, shall not be greater than 20 percent of the announced  
459 gross purse, and shall not be less than 15 percent of the  
460 announced gross purse if funds are available. In addition, no  
461 less than 17 percent nor more than 40 percent, as determined by  
462 the Florida Thoroughbred Breeders' Association, of the moneys  
463 dedicated in this chapter for use as breeders' awards and  
464 stallion awards for thoroughbreds shall be returned pro rata to  
465 the permitholders that generated the moneys for special racing  
466 awards to be distributed by the permitholders to owners of  
467 thoroughbred horses participating in prescribed thoroughbred  
468 stakes races, nonstakes races, or both, all in accordance with a  
469 written agreement establishing the rate, procedure, and  
470 eligibility requirements for such awards entered into by the  
471 permitholder, the Florida Thoroughbred Breeders' Association,  
472 and the Florida Horsemen's Benevolent and Protective  
473 Association, Inc., except that the plan for the distribution by  
474 any permitholder located in the area described in s. 550.615(8)  
475 ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the



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476 Florida Thoroughbred Breeders' Association, and the association  
477 representing a majority of the thoroughbred racehorse owners and  
478 trainers at that location. Awards for thoroughbred races are to  
479 be paid through the Florida Thoroughbred Breeders' Association,  
480 and awards for standardbred races are to be paid through the  
481 Florida Standardbred Breeders and Owners Association. Among  
482 other sources specified in this chapter, moneys for thoroughbred  
483 breeders' awards will come from the 0.955 percent of handle for  
484 thoroughbred races conducted, received, broadcast, or simulcast  
485 under this chapter as provided in s. 550.2625(3). The moneys for  
486 quarter horse and harness breeders' awards will come from the  
487 breaks and uncashed tickets on live quarter horse and harness  
488 racing performances and 1 percent of handle on intertrack  
489 wagering. The funds for these breeders' awards shall be paid to  
490 the respective breeders' associations by the permitholders  
491 conducting the races.

492 Section 12. Paragraph (a) of subsection (6) of section  
493 550.3551, Florida Statutes, is amended to read:

494 550.3551 Transmission of racing and jai alai information;  
495 commingling of pari-mutuel pools.—

496 (6) (a) ~~A maximum of 20 percent of the total number of races~~  
497 ~~on which wagers are accepted by a greyhound permitholder not~~  
498 ~~located as specified in s. 550.615(6) may be received from~~  
499 ~~locations outside this state. A horseracing or a jai alai~~  
500 permitholder may not conduct fewer than eight live races or  
501 games on any authorized race day except as provided in this  
502 subsection. A thoroughbred permitholder may not conduct fewer  
503 than eight live races on any race day without the written  
504 approval of the Florida Thoroughbred Breeders' Association and



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505 the Florida Horsemen's Benevolent and Protective Association,  
506 Inc., unless it is determined by the department that another  
507 entity represents a majority of the thoroughbred racehorse  
508 owners and trainers in the state. A harness permitholder may  
509 conduct fewer than eight live races on any authorized race day,  
510 except that such permitholder must conduct a full schedule of  
511 live racing during its race meet consisting of at least eight  
512 live races per authorized race day for at least 100 days. Any  
513 harness ~~horse~~ permitholder that during the preceding racing  
514 season conducted a full schedule of live racing may, at any time  
515 during its current race meet, receive full-card broadcasts of  
516 harness horse races conducted at harness racetracks outside this  
517 state at the harness track of the permitholder and accept wagers  
518 on such harness races. With specific authorization from the  
519 division for special racing events, a permitholder may conduct  
520 fewer than eight live races or games when the permitholder also  
521 broadcasts out-of-state races or games. The division may not  
522 grant more than two such exceptions a year for a permitholder in  
523 any 12-month period, and those two exceptions may not be  
524 consecutive.

525 Section 13. Subsections (2), (7), (8), and (9) and present  
526 subsection (10) of section 550.615, Florida Statutes, are  
527 amended, and a new subsection (10) is added to that section, to  
528 read:

529 550.615 Intertrack wagering.—

530 (2) A ~~Any~~ track or fronton licensed under this chapter  
531 which conducted a full schedule of live racing or games in the  
532 preceding year ~~conducted a full schedule of live racing~~ is  
533 qualified to, at any time, receive broadcasts of any class of



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534 pari-mutuel race or game and accept wagers on such races or  
535 games conducted by any class of permitholders licensed under  
536 this chapter.

537 ~~(7) In any county of the state where there are only two~~  
538 ~~permits, one for dogracing and one for jai alai, no intertrack~~  
539 ~~wager may be taken during the period of time when a permitholder~~  
540 ~~is not licensed to conduct live races or games without the~~  
541 ~~written consent of the other permitholder that is conducting~~  
542 ~~live races or games. However, if neither permitholder is~~  
543 ~~conducting live races or games, either permitholder may accept~~  
544 ~~intertrack wagers on horseraces or on the same class of races or~~  
545 ~~games, or on both horseraces and the same class of races or~~  
546 ~~games as is authorized by its permit.~~

547 ~~(7)-(8) In any three contiguous counties of the state where~~  
548 ~~there are only three permitholders, all of which are greyhound~~  
549 ~~permitholders, If a greyhound any permitholder leases the~~  
550 ~~facility of another greyhound permitholder for the purpose of~~  
551 ~~conducting all or any portion of ~~the conduct of its live race~~~~  
552 ~~meet pursuant to s. 550.475, such lessee may conduct intertrack~~  
553 ~~wagering at its pre-lease permitted facility throughout the~~  
554 ~~entire year, including while its race live meet is being~~  
555 ~~conducted at the leased facility, ~~if such permitholder has~~~~  
556 ~~conducted a full schedule of live racing during the preceding~~  
557 ~~fiscal year at its pre-lease permitted facility or at a leased~~  
558 ~~facility, or combination thereof.~~

559 ~~(8)-(9) In any two contiguous counties of the state in which~~  
560 ~~there are located only four active permits, one for thoroughbred~~  
561 ~~horse racing, two for greyhound dogracing, and one for jai alai~~  
562 ~~games, no intertrack wager may be accepted on the same class of~~



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563 live races or games of any permitholder without the written  
564 consent of such operating permitholders conducting the same  
565 class of live races or games if the guest track is within the  
566 market area of such operating permitholder.

567 (9)~~(10)~~ All costs of receiving the transmission of the  
568 broadcasts shall be borne by the guest track; and all costs of  
569 sending the broadcasts shall be borne by the host track.

570 (10) A greyhound permitholder that did not conduct live  
571 racing at its facility in the preceding fiscal year is  
572 authorized to accept wagers on live races conducted at out-of-  
573 state greyhound tracks only on the days that such permitholder  
574 is accepting all wagers on all races conducted by each greyhound  
575 permitholder conducting live racing in this state whose  
576 simulcast signal is made available to such permitholder.

577 Section 14. Paragraph (g) of subsection (9) of section  
578 550.6305, Florida Statutes, is amended to read:

579 550.6305 Intertrack wagering; guest track payments;  
580 accounting rules.-

581 (9) A host track that has contracted with an out-of-state  
582 horse track to broadcast live races conducted at such out-of-  
583 state horse track pursuant to s. 550.3551(5) may broadcast such  
584 out-of-state races to any guest track and accept wagers thereon  
585 in the same manner as is provided in s. 550.3551.

586 (g)1. Any thoroughbred permitholder which accepts wagers on  
587 a simulcast signal must make the signal available to any  
588 permitholder that is eligible to conduct intertrack wagering  
589 under the provisions of ss. 550.615-550.6345.

590 2. Any thoroughbred permitholder which accepts wagers on a  
591 simulcast signal received after 6 p.m. must make such signal



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592 available to any permitholder that is eligible to conduct  
593 intertrack wagering under the provisions of ss. 550.615-  
594 550.6345, including any permitholder located as specified in s.  
595 550.615(6). Such guest permitholders are authorized to accept  
596 wagers on such simulcast signal, notwithstanding any other  
597 provision of this chapter to the contrary.

598         3. Any thoroughbred permitholder which accepts wagers on a  
599 simulcast signal received after 6 p.m. must make such signal  
600 available to any permitholder that is eligible to conduct  
601 intertrack wagering under the provisions of ss. 550.615-  
602 ~~550.6345, including any permitholder located as specified in s.~~  
603 ~~550.615(9)~~. Such guest permitholders are authorized to accept  
604 wagers on such simulcast signals for a number of performances  
605 not to exceed that which constitutes a full schedule of live  
606 races for a quarter horse permitholder pursuant to s.  
607 550.002(11), notwithstanding any other provision of this chapter  
608 to the contrary, ~~except that the restrictions provided in s.~~  
609 ~~550.615(9) (a) apply to wagers on such simulcast signals.~~

610  
611 No thoroughbred permitholder shall be required to continue to  
612 rebroadcast a simulcast signal to any in-state permitholder if  
613 the average per performance gross receipts returned to the host  
614 permitholder over the preceding 30-day period were less than  
615 \$100. Subject to the provisions of s. 550.615(4), as a condition  
616 of receiving rebroadcasts of thoroughbred simulcast signals  
617 under this paragraph, a guest permitholder must accept  
618 intertrack wagers on all live races conducted by all then-  
619 operating thoroughbred permitholders.

620         Section 15. Subsection (4) of section 551.102, Florida



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621 Statutes, is amended to read:

622 551.102 Definitions.—As used in this chapter, the term:

623 (4) "Eligible facility" means any licensed pari-mutuel  
624 facility located in Miami-Dade County or Broward County existing  
625 at the time of adoption of s. 23, Art. X of the State  
626 Constitution that has conducted live racing or games during  
627 calendar years 2002 and 2003 and has been approved by a majority  
628 of voters in a countywide referendum to have slot machines at  
629 such facility in the respective county; any licensed pari-mutuel  
630 facility located within a county as defined in s. 125.011,  
631 provided such facility has conducted a full schedule of live  
632 racing for 2 consecutive calendar years immediately preceding  
633 its application for a slot machine license, pays the required  
634 license fee, and meets the other requirements of this chapter;  
635 or any licensed pari-mutuel facility in any other county in  
636 which a majority of voters have approved slot machines at such  
637 facilities in a countywide referendum held pursuant to a  
638 statutory or constitutional authorization after the effective  
639 date of this section in the respective county, provided such  
640 facility has conducted a full schedule of live racing for 2  
641 consecutive calendar years immediately preceding its application  
642 for a slot machine license, pays the required licensed fee, and  
643 meets the other requirements of this chapter.

644 Section 16. Paragraph (c) of subsection (4) of section  
645 551.104, Florida Statutes, is amended to read:

646 551.104 License to conduct slot machine gaming.—

647 (4) As a condition of licensure and to maintain continued  
648 authority for the conduct of slot machine gaming, the slot  
649 machine licensee shall:



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650 (c) Conduct no fewer than a full schedule of live racing or  
651 games as defined in s. 550.002(11), except for greyhound  
652 permitholders, which do not have a live racing requirement for  
653 the purpose of maintaining licensure under this chapter. A  
654 permitholder's responsibility to conduct such number of live  
655 races or games shall be reduced by the number of races or games  
656 that could not be conducted due to the direct result of fire,  
657 war, hurricane, or other disaster or event beyond the control of  
658 the permitholder.

659 Section 17. Subsections (2) and (4) of section 551.114,  
660 Florida Statutes, are amended to read:

661 551.114 Slot machine gaming areas.—

662 (2) The slot machine licensee shall display pari-mutuel  
663 races or games within the designated slot machine gaming areas  
664 and offer patrons within the designated slot machine gaming  
665 areas the ability to engage in pari-mutuel wagering on any live,  
666 intertrack, and simulcast races conducted or offered to patrons  
667 of the licensed facility.

668 (4) Designated slot machine gaming areas may be located  
669 within the current live gaming facility or in an existing  
670 building that must be contiguous and connected to the live  
671 gaming facility or, for greyhound permitholders, the location  
672 where live races are or were previously conducted. If a  
673 designated slot machine gaming area is to be located in a  
674 building that is to be constructed, that new building must be  
675 contiguous and connected to the live gaming facility.

676 Section 18. Paragraphs (a) and (b) of subsection (5) and  
677 paragraph (d) of subsection (13) of section 849.086, Florida  
678 Statutes, are amended to read:





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679 849.086 Cardrooms authorized.—

680 (5) LICENSE REQUIRED; APPLICATION; FEES.—No person may  
681 operate a cardroom in this state unless such person holds a  
682 valid cardroom license issued pursuant to this section.

683 (a) Only those persons holding a valid cardroom license  
684 issued by the division may operate a cardroom. A cardroom  
685 license may only be issued to a licensed pari-mutuel  
686 permitholder. ~~and~~ An authorized cardroom may only be operated at  
687 the same facility at which the permitholder is authorized under  
688 its valid pari-mutuel wagering permit to conduct pari-mutuel  
689 wagering activities. An initial cardroom license shall be issued  
690 to a pari-mutuel permitholder only after its facilities are in  
691 place and after it conducts its first day of live racing or  
692 games. Notwithstanding any law to the contrary, a greyhound  
693 permitholder is not required to conduct a minimum number of  
694 requested or conducted live performances in order to receive,  
695 maintain, or renew a cardroom license.

696 (b) After the initial cardroom license is granted, the  
697 application for the annual license renewal shall be made in  
698 conjunction with the applicant's annual application for its  
699 pari-mutuel license. If a permitholder has operated a cardroom  
700 during any of the 3 previous fiscal years and fails to include a  
701 renewal request for the operation of the cardroom in its annual  
702 application for license renewal, the permitholder may amend its  
703 annual application to include operation of the cardroom. In  
704 order for a cardroom license to be renewed the applicant must  
705 have requested, as part of its pari-mutuel annual license  
706 application, to conduct at least 90 percent of the total number  
707 of live performances conducted by such permitholder during



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708 either the state fiscal year in which its initial cardroom  
709 license was issued or the state fiscal year immediately prior  
710 thereto if the permitholder ran at least a full schedule of live  
711 racing or games in the prior year. If the application is for a  
712 harness permitholder cardroom, the applicant must have requested  
713 authorization to conduct a minimum of 140 live performances  
714 during the state fiscal year immediately prior thereto. If more  
715 than one permitholder is operating at a facility, each  
716 permitholder must have applied for a license to conduct a full  
717 schedule of live racing. Notwithstanding any law to the  
718 contrary, a greyhound permitholder is not required to conduct a  
719 minimum number of requested or conducted live performances in  
720 order to receive, maintain, or renew a cardroom license.  
721 However, as a condition of cardroom licensure, a greyhound  
722 permitholder must conduct intertrack wagering on greyhound  
723 signals, to the extent available, on each day of cardroom  
724 operation.

725 (13) TAXES AND OTHER PAYMENTS.—

726 (d)1. Each greyhound permitholder conducting live racing  
727 and jai alai permitholder that operates a cardroom facility  
728 shall use at least 4 percent of such permitholder's cardroom  
729 monthly gross receipts to supplement greyhound purses, if any,  
730 or jai alai prize money, respectively, during the permitholder's  
731 current or next ensuing pari-mutuel meet.

732 2. Each thoroughbred and harness horse racing permitholder  
733 that operates a cardroom facility shall use at least 50 percent  
734 of such permitholder's cardroom monthly net proceeds as follows:  
735 47 percent to supplement purses and 3 percent to supplement  
736 breeders' awards during the permitholder's next ensuing racing



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737 meet.

738         3. A ~~No~~ cardroom license or renewal thereof may not ~~shall~~  
739 be issued to an applicant holding a permit under chapter 550 to  
740 conduct pari-mutuel wagering meets of quarter horse racing  
741 unless the applicant has on file with the division a binding  
742 written agreement between the applicant and the Florida Quarter  
743 Horse Racing Association or the association representing a  
744 majority of the horse owners and trainers at the applicant's  
745 eligible facility, governing the payment of purses on live  
746 quarter horse races conducted at the licensee's pari-mutuel  
747 facility. The agreement governing purses may direct the payment  
748 of such purses from revenues generated by any wagering or gaming  
749 the applicant is authorized to conduct under Florida law. All  
750 purses shall be subject to the terms of chapter 550.

751         Section 19. This act shall take effect July 1, 2014.

752

753 ===== T I T L E   A M E N D M E N T =====

754 And the title is amended as follows:

755         Delete lines 2 - 8

756 and insert:

757         An act relating to greyhound dogracing; amending s.  
758         550.2415, F.S.; requiring the Division of Pari-mutuel  
759         Wagering within the Department of Business and  
760         Professional Regulation to maintain records of  
761         greyhounds injured while racing; providing for the  
762         content of such records; providing fines for making  
763         false statements on an injury form; amending s.  
764         550.002, F.S.; redefining the term "full schedule of  
765         live racing or games"; amending s. 550.01215, F.S.;



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766 extending the date by which a greyhound permitholder  
767 may amend or relinquish its license; amending s.  
768 550.0351, F.S.; deleting the requirement that the  
769 Division of Pari-mutuel Wagering authorize a dogracing  
770 permitholder to conduct charity or scholarship days;  
771 removing the authority of a dogracing permitholder to  
772 use its facility for "hound dog derbies" or "mutt  
773 derbies"; amending s. 550.054, F.S.; removing the  
774 requirement that a holder of a permit that was  
775 converted from jai alai to greyhound apply for and  
776 conduct a full schedule of live racing; amending s.  
777 550.0951, F.S.; removing the requirement that a  
778 greyhound permitholder pay a daily license fee on each  
779 event; removing a requirement that a greyhound  
780 permitholder receive a certain tax credit; removing  
781 the authority of a greyhound permitholder to elect to  
782 transfer certain exemptions or credits; reducing the  
783 tax on handle for dogracing; conforming provisions to  
784 changes made by the act; reducing the tax rate on  
785 handle, and specifying one tax rate on handle, for  
786 intertrack wagering if the host track is a dog track;  
787 amending s. 550.09514, F.S.; removing certain  
788 provisions that prohibit tax on handle until a  
789 specified amount of tax savings have resulted;  
790 revising purse requirements of a greyhound  
791 permitholder that conducts live racing; amending s.  
792 550.1625, F.S.; removing the requirement that a  
793 greyhound permitholder pay the daily license fee or  
794 the breaks tax; repealing s. 550.1647, F.S., relating



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795 to greyhound permitholders, unclaimed tickets, and  
796 breaks; amending s. 550.1648, F.S.; requiring a  
797 greyhound permitholder that conducts live racing to  
798 provide a greyhound adoption booth at its facility;  
799 conforming a cross-reference to changes made by the  
800 act; defining the term "bona fide organization that  
801 promotes or encourages the adoption of greyhounds";  
802 requiring sterilization of greyhounds before adoption;  
803 removing provisions relating to charity racing days;  
804 amending s. 550.26165, F.S.; conforming a cross-  
805 reference to changes made by the act; amending s.  
806 550.3551, F.S.; removing a provision that limits the  
807 number of out-of-state races on which wagers are  
808 accepted by a greyhound permitholder; removing a  
809 greyhound permitholder from a live racing requirement;  
810 amending s. 550.615, F.S.; revising provisions  
811 relating to intertrack wagering on dogracing; amending  
812 s. 550.6305, F.S.; clarifying cross-references;  
813 amending s. 551.102, F.S.; redefining the term  
814 "eligible facility"; amending s. 551.104, F.S.;  
815 specifying that a greyhound permitholder is not  
816 required to conduct a full schedule of live racing to  
817 maintain a license to conduct slot machine gaming;  
818 amending s. 551.114, F.S.; authorizing a greyhound  
819 permitholder to locate its slot machine gaming area in  
820 certain locations; amending s. 849.086, F.S.;  
821 specifying that a greyhound permitholder is not  
822 required to conduct a minimum number of live racing in  
823 order to receive, maintain, or renew a cardroom



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824 license; requiring a greyhound permitholder to conduct  
825 intertrack wagering on greyhound signals to operate a  
826 cardroom; providing an