

Notice of Change/Withdrawal

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

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NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 242, December 16, 2013 issue of the Florida Administrative Register.

61D-11.001 Definitions.

(1) "Activity related to cardroom operations" or "cardroom activity":

(a) Includes any and all activities related to the operation of the cardroom, including activities that require a person to come in contact with or work within the cardroom gaming area, all aspects of management, all aspects of record keeping, all aspects of administration, all aspects of supervision, and all activities that support the cardroom operation in any way, unless such activity is specifically excluded from this definition.

(b) Does not include the following:

1. through 3. No change.

4. Promotional support employees who participate in a limited event but do not:

a. Influence the operations of the cardroom; or

b. Come in contact with money, chips, cards, or dominoes held by the house or other participants in the tournament; or

c. Work in the cardroom for more than 10 days per event and not more than two events in a state fiscal year.

Such promotional support employees are not prohibited from participating as players in a tournament.

(2) through (45) No change.

Rulemaking 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,_____.

61D-11.002 Cardroom Games.

(1) through (4) No change.

(5) Card games that utilize a designated player that covers other players' wagers shall be governed by the cardroom operator's house rules. The house rules shall:

(a) Establish uniform requirements to be a designated player; Allow for only one designated player during any single hand;

(b) Ensure that the dealer button rotates around the card table in a clockwise fashion on a hand by hand basis to provide each player desiring to be the designated player an equal opportunity to participate as the designated player; and Not require the designated player to cover all wagers that could be made by the other players in the game;

(c) Not require the designated player to cover all potential wagers. Not allow other players to cover wagers to achieve winnings that the designated player could have won had he or she covered the same wagers;

(d) Not allow or require a player to buy in for a different amount than any other player in the game in order to participate as the designated player; and

(e) Rotate a button or other object to designate which player is the designated player. The button or other object shall rotate clockwise around the table to give each player the opportunity to participate as the designated player.

(6) The designated player shall:

(a) Cover the table minimum for each participating player; and

(b) Pay each player an amount above the table minimum equal to their pro rata share of the pot in the event the designated player cannot cover all wagers.

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

61D-11.0275 Tournaments.

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

(b) Maintain a record of the winner's address ~~and telephone number~~, in addition to the applicable IRS-W2G records for any tournament payouts that meet the IRS-W2G threshold.

(6) A gratuity, tip, or similar charge paid during a tournament is not considered gross receipts if:

(a) It is not mandatory for participation;

(b) The players do not receive additional chips;

(c) The charge is separately stated as a gratuity, tip, or other charge on the customer's receipt or the tournament registration form; and

(d) The cardroom operator receives no monetary benefit from the gratuity. Money withheld by the cardroom operator for purposes of payment of the employee's share of social security or federal income tax or any fee imposed by a credit card company on the amount of the gratuity, or money withheld pursuant to judicial or administrative orders, is not a monetary benefit for purposes of this rule.

(7)(6) If a cardroom operator offers tournament registration to patrons through licensed vendors, the cardroom operator shall notify the division of the vendor(s), prior to conducting registrations.

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

61D-11.0279 Jackpots, Prizes, and Giveaways.

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

(b) Maintain a record of the winner's address ~~and telephone number~~, in addition to the applicable IRS-W2G records for any jackpot payouts that meet the IRS-W2G threshold.

(4) through (8) No change.

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