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1  
2 An act relating to the prohibition of electronic  
3 gambling devices; providing legislative findings and a  
4 declaration of intent and construction; amending s.  
5 849.0935, F.S., relating to drawings by chance offered  
6 by nonprofit organizations; revising the definition of  
7 the term "drawing by chance" to include the term  
8 "raffle" within the meaning of the term and exclude  
9 the term "game promotions"; revising conditions for  
10 exceptions to prohibitions on lotteries; amending s.  
11 849.094, F.S., relating to game promotions in  
12 connection with sale of consumer products or services;  
13 revising definitions; providing that violations are  
14 deceptive and unfair trade practices; amending s.  
15 849.16, F.S.; defining the term "slot machine or  
16 device" for purposes of specified gambling provisions;  
17 providing a rebuttable presumption that a device,  
18 system, or network is a prohibited slot machine;  
19 amending s. 849.161, F.S., relating to amusement games  
20 or machines; revising and providing definitions;  
21 revising provisions that exempt certain amusement  
22 games and centers from the application of specified  
23 provisions relating to gambling; amending s. 895.02,  
24 F.S.; revising the definition of the term  
25 "racketeering activity" to include violations of  
26 specified provisions; amending s. 721.111, F.S.,  
27 relating to promotional offers; conforming cross-  
28 references; reenacting ss. 16.56(1)(a), 338.234(1),



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29 | 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3),  
30 | F.S., relating to the Office of Statewide Prosecution,  
31 | the Florida Turnpike, money laundering, seizure of  
32 | property, the Florida Money Laundering Act, and a  
33 | statewide grand jury, respectively, to incorporate  
34 | changes made by the act in references thereto;  
35 | providing an effective date.

36 |

37 | Be It Enacted by the Legislature of the State of Florida:

38 |

39 | Section 1. Findings and declarations of necessity.—

40 | (1) The Legislature declares that s. 849.01, Florida  
41 | Statutes, specifically prohibits the keeping or maintaining of a  
42 | place for the purpose of gambling or gaming.

43 | (2) The Legislature finds that s. 849.0935, Florida  
44 | Statutes, was enacted to allow specified charitable or nonprofit  
45 | organizations the opportunity to raise funds to carry out their  
46 | charitable or nonprofit purpose by conducting a raffle for  
47 | prizes by eliminating the element of monetary consideration and  
48 | allowing the receipt of voluntary donations or contributions and  
49 | was not intended to provide a vehicle for the establishment of  
50 | places of gambling or gaming.

51 | (3) The Legislature finds that s. 849.094, Florida  
52 | Statutes, was enacted to regulate certain game promotions or  
53 | sweepstakes conducted by for-profit commercial entities on a  
54 | limited and occasional basis as an advertising and marketing  
55 | tool and incidental to substantial bona fide sales of consumer  
56 | products or services, if the element of consideration is removed



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57 as no purchase necessary and they comply with the requirements  
 58 and rules specified by law, and was not intended to provide a  
 59 vehicle for the establishment of places of ongoing gambling or  
 60 gaming.

61 (4) The Legislature finds that s. 849.161, Florida  
 62 Statutes, was enacted to regulate the operation of skill-based  
 63 arcade games offered at specified arcade amusement centers and  
 64 truck stops if they comply with the requirements of law and was  
 65 not provided as a vehicle for the conduct of casino-style  
 66 gambling.

67 (5) Therefore, the Legislature finds that there is a  
 68 compelling state interest in clarifying the operation and use of  
 69 ss. 849.0935, 849.094, and 849.161, Florida Statutes, to ensure  
 70 that a charitable drawing by chance, game promotion in  
 71 connection with the sale of a consumer product or service, and  
 72 arcade amusement games are not subject to abuse or interpreted  
 73 in any manner as creating an exception to Florida's general  
 74 prohibitions against gambling.

75 Section 2. Paragraph (a) of subsection (1) and subsections  
 76 (2), (4), and (7) of section 849.0935, Florida Statutes, are  
 77 amended to read:

78 849.0935 Charitable, nonprofit organizations; drawings by  
 79 chance; required disclosures; unlawful acts and practices;  
 80 penalties.—

81 (1) As used in this section, the term:

82 (a) "Drawing by chance," ~~or~~ "drawing," or "raffle" means  
 83 an enterprise in which, from the entries submitted by the public  
 84 to the organization conducting the drawing, one or more entries



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85 are selected by chance to win a prize. The term "drawing" does  
86 not include those enterprises, commonly known as "game  
87 promotions," as defined by s. 849.094, "matching," "instant  
88 winner," or "preselected sweepstakes," which involve the  
89 distribution of winning numbers, previously designated as such,  
90 to the public.

91 (2) Section ~~The provisions of s. 849.09~~ does ~~shall~~ not be  
92 ~~construed to~~ prohibit an organization ~~qualified under 26 U.S.C.~~  
93 ~~s. 501(c)(3), (4), (7), (8), (10), or (19)~~ from conducting  
94 drawings by chance pursuant to the authority granted by this  
95 section, if provided the organization has complied with all  
96 applicable provisions of chapter 496 and this section.

97 (4) It is unlawful for any organization that ~~which~~,  
98 pursuant to the authority granted by this section, promotes,  
99 operates, or conducts a drawing by chance:

100 (a) To design, engage in, promote, or conduct any drawing  
101 in which the winner is predetermined by means of matching,  
102 instant win, or preselected sweepstakes or otherwise or in which  
103 the selection of the winners is in any way rigged;

104 (b) To require an entry fee, donation, substantial  
105 consideration, payment, proof of purchase, or contribution as a  
106 condition of entering the drawing or of being selected to win a  
107 prize. However, this paragraph does ~~provision shall~~ not prohibit  
108 an organization from suggesting a minimum donation or from  
109 including a statement of such suggested minimum donation on any  
110 printed material used ~~utilized~~ in connection with the  
111 fundraising event or drawing;



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112 (c) To condition the drawing on a minimum number of  
 113 tickets having been disbursed to contributors or on a minimum  
 114 amount of contributions having been received;

115 (d) To arbitrarily remove, disqualify, disallow, or reject  
 116 any entry or to discriminate in any manner between entrants who  
 117 gave contributions to the organization and those who did not  
 118 give such contributions;

119 (e) To fail to promptly notify, at the address set forth  
 120 on the entry blank, any person~~7~~ whose entry is selected to win~~7~~  
 121 of the fact that he or she won;

122 (f) To fail to award all prizes offered;

123 (g) To print, publish, or circulate literature or  
 124 advertising material used in connection with the drawing which  
 125 is false, deceptive, or misleading;

126 (h) To cancel a drawing; or

127 (i) To condition the acquisition or giveaway of any prize  
 128 upon the receipt of voluntary donations or contributions.

129 (7) Any organization that ~~which~~ engages in any act or  
 130 practice in violation of this section commits ~~is guilty of~~ a  
 131 misdemeanor of the second degree, punishable as provided in s.  
 132 775.082 or s. 775.083. ~~However,~~ Any organization or other person  
 133 who sells or offers for sale in this state a ticket or entry  
 134 blank for a raffle or other drawing by chance, without complying  
 135 with the requirements of paragraph (3)(d), commits ~~is guilty of~~  
 136 a misdemeanor of the second degree, punishable by fine only as  
 137 provided in s. 775.083.



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138 Section 3. Subsections (1) and (8) of section 849.094,  
 139 Florida Statutes, are amended, and subsection (11) is added to  
 140 that section, to read:

141 849.094 Game promotion in connection with sale of consumer  
 142 products or services.—

143 (1) As used in this section, the term:

144 (a) "Game promotion" means, but is not limited to, a  
 145 contest, game of chance, sweepstakes, or gift enterprise,  
 146 conducted by an operator within or throughout the state and  
 147 other states in connection with and incidental to the sale of  
 148 consumer products or services, and in which the elements of  
 149 chance and prize are present. However, "game promotion" may  
 150 ~~shall~~ not be construed to apply to bingo games conducted  
 151 pursuant to s. 849.0931.

152 (b) "Operator" means a retailer who operates a game  
 153 promotion or any person, firm, corporation, organization, or  
 154 association or agent or employee thereof who promotes, operates,  
 155 or conducts a nationally advertised game promotion, ~~except any~~  
 156 ~~charitable nonprofit organization.~~

157 (8) (a) The Department of Agriculture and Consumer Services  
 158 shall have the power to promulgate such rules and regulations  
 159 respecting the operation of game promotions as it deems ~~may deem~~  
 160 advisable.

161 (b) Compliance with the rules of the Department of  
 162 Agriculture and Consumer Services does not authorize and is not  
 163 a defense to a charge of possession of a slot machine or device  
 164 or any other device or a violation of any other law.



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165 (c)~~(b)~~ Whenever the Department of Agriculture and Consumer  
 166 Services or the Department of Legal Affairs has reason to  
 167 believe that a game promotion is being operated in violation of  
 168 this section, it may bring an action in the circuit court of any  
 169 judicial circuit in which the game promotion is being operated  
 170 in the name and on behalf of the people of the state against any  
 171 operator thereof to enjoin the continued operation of such game  
 172 promotion anywhere within the state.

173 (11) A violation of this section, or soliciting another to  
 174 commit an act that violates this section, constitutes a  
 175 deceptive and unfair trade practice actionable under the Florida  
 176 Deceptive and Unfair Trade Practices Act.

177 Section 4. Section 849.16, Florida Statutes, is amended to  
 178 read:

179 849.16 Machines or devices which come within provisions of  
 180 law defined.—

181 (1) As used in this chapter, the term "slot machine or  
 182 device" means any machine or device or system or network of  
 183 devices is a slot machine or device within the provisions of  
 184 this chapter if it is one that is adapted for use in such a way  
 185 that, upon activation, which may be achieved by, but is not  
 186 limited to, as a result of the insertion of any piece of money,  
 187 coin, account number, code, or other object or information, such  
 188 machine or device or system is directly or indirectly caused to  
 189 operate or may be operated and if the user, whether by  
 190 application of skill or by reason of any element of chance or of  
 191 any other outcome of such operation unpredictable by the user  
 192 him or her, may:



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193 (a) Receive or become entitled to receive any piece of  
 194 money, credit, allowance, or thing of value, or any check, slug,  
 195 token, or memorandum, whether of value or otherwise, which may  
 196 be exchanged for any money, credit, allowance, or thing of value  
 197 or which may be given in trade; or

198 (b) Secure additional chances or rights to use such  
 199 machine, apparatus, or device, even though the device or system  
 200 ~~it~~ may be available for free play or, in addition to any element  
 201 of chance or unpredictable outcome of such operation, may also  
 202 sell, deliver, or present some merchandise, indication of  
 203 weight, entertainment, or other thing of value. The term "slot  
 204 machine or device" includes, but is not limited to, devices  
 205 regulated as slot machines pursuant to chapter 551.

206 (2) ~~Nothing contained in~~ This chapter may not ~~shall~~ be  
 207 construed, interpreted, or applied to the possession of a  
 208 reverse vending machine. As used in this section, the term a  
 209 "reverse vending machine" means ~~is~~ a machine into which empty  
 210 beverage containers are deposited for recycling and which  
 211 provides a payment of money, merchandise, vouchers, or other  
 212 incentives. At a frequency less than upon the deposit of each  
 213 beverage container, a reverse vending machine may pay out a  
 214 random incentive bonus greater than that guaranteed payment in  
 215 the form of money, merchandise, vouchers, or other incentives.  
 216 The deposit of any empty beverage container into a reverse  
 217 vending machine does not constitute consideration, and ~~nor shall~~  
 218 a reverse vending machine may not be deemed ~~to be~~ a slot machine  
 219 as defined in ~~within~~ this section.

220 (3) There is a rebuttable presumption that a device,





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221 system, or network is a prohibited slot machine or device if it  
222 is used to display images of games of chance and is part of a  
223 scheme involving any payment or donation of money or its  
224 equivalent and awarding anything of value.

225 Section 5. Section 849.161, Florida Statutes, is amended  
226 to read:

227 849.161 Amusement games or machines; when chapter  
228 inapplicable.—

229 (1) As used in this section, the term:

230 (a) "Amusement games or machines" means games which  
231 operate by means of the insertion of a coin, and which by  
232 application of skill may entitle the person playing or operating  
233 the game or machine to receive points or coupons, the cost value  
234 of which does not exceed 75 cents on any game played, which may  
235 be exchanged for merchandise. The term does not include casino-  
236 style games in which the outcome is determined by factors  
237 unpredictable by the player or games in which the player may not  
238 control the outcome of the game through skill.

239 (b) "Arcade amusement center" means a place of business  
240 having at least 50 coin-operated amusement games or machines on  
241 premises which are operated for the entertainment of the general  
242 public and tourists as a bona fide amusement facility.

243 (c) "Game played" means the event occurring from the  
244 initial activation of the machine until the results of play are  
245 determined without payment of additional consideration. Free  
246 replays do not constitute additional consideration.

247 (d) "Merchandise" means noncash prizes, including toys and  
248 novelties. The term does not include cash or any equivalent



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249 thereof, including gift cards or certificates, or alcoholic  
 250 beverages.

251 (e) "Truck stop" means any dealer registered pursuant to  
 252 chapter 212, excluding marinas, which:

253 1. Declared its primary fuel business to be the sale of  
 254 diesel fuel;

255 2. Operates a minimum of six functional diesel fuel pumps;  
 256 and

257 3. Has coin-operated amusement games or machines on  
 258 premises which are operated for the entertainment of the general  
 259 public and tourists as bona fide amusement games or machines.

260 (2)-(1)-(a)1. Nothing contained in this chapter shall be  
 261 taken or construed to prohibit as applicable to an arcade  
 262 amusement center or truck stop from operating having amusement  
 263 games or machines in conformance with this section which operate  
 264 by means of the insertion of a coin and which by application of  
 265 skill may entitle the person playing or operating the game or  
 266 machine to receive points or coupons which may be exchanged for  
 267 merchandise only, excluding cash and alcoholic beverages,  
 268 provided the cost value of the merchandise or prize awarded in  
 269 exchange for such points or coupons does not exceed 75 cents on  
 270 any game played.

271 ~~2. Nothing contained in this chapter shall be taken or~~  
 272 ~~construed as applicable to any retail dealer who operates as a~~  
 273 ~~truck stop, as defined in chapter 336 and which operates a~~  
 274 ~~minimum of 6 functional diesel fuel pumps, having amusement~~  
 275 ~~games or machines which operate by means of the insertion of a~~  
 276 ~~coin or other currency and which by application of skill may~~



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277 ~~entitle the person playing or operating the game or machine to~~  
278 ~~receive points or coupons which may be exchanged for merchandise~~  
279 ~~limited to noncash prizes, toys, novelties, and Florida Lottery~~  
280 ~~products, excluding alcoholic beverages, provided the cost value~~  
281 ~~of the merchandise or prize awarded in exchange for such points~~  
282 ~~or coupons does not exceed 75 cents on any game played.~~

283 (3) This section ~~subparagraph~~ applies only to games and  
284 machines which are operated for the entertainment of the general  
285 public and tourists as bona fide amusement games or machines.

286 (4) This section ~~subsection~~ shall not be construed to  
287 authorize apply, however, to any game or device defined as a  
288 gambling device in 15 ~~24~~ U.S.C. s. 1171, which requires  
289 identification of each device by permanently affixing serial  
290 numbering and name, trade name, and date of manufacture under s.  
291 1173, and registration with the United States Attorney General,  
292 unless excluded from applicability of the chapter under s. 1178,  
293 or. ~~This subsection shall not be construed to authorize~~ video  
294 poker games or any other game or machine that may be construed  
295 as a gambling device under Florida law.

296 (5)(b) This section does not apply ~~Nothing in this~~  
297 ~~subsection shall be taken or construed as applicable to a coin-~~  
298 ~~operated game or device designed and manufactured only for bona~~  
299 ~~fide amusement purposes which game or device may by application~~  
300 ~~of skill entitle the player to replay the game or device at no~~  
301 ~~additional cost, if the game or device: can accumulate and react~~  
302 ~~to no more than 15 free replays; can be discharged of~~  
303 ~~accumulated free replays only by reactivating the game or device~~  
304 ~~for one additional play for such accumulated free replay; can~~



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305 make no permanent record, directly or indirectly, of free  
 306 replays; and is not classified by the United States as a  
 307 gambling device in 15 24 U.S.C. s. 1171, which requires  
 308 identification of each device by permanently affixing serial  
 309 numbering and name, trade name, and date of manufacture under s.  
 310 1173, and registration with the United States Attorney General,  
 311 unless excluded from applicability of the chapter under s. 1178.  
 312 This subsection shall not be construed to authorize video poker  
 313 games, or any other game or machine that may be construed as a  
 314 gambling device under Florida law.

315 ~~(2) The term "arcade amusement center" as used in this~~  
 316 ~~section means a place of business having at least 50 coin-~~  
 317 ~~operated amusement games or machines on premises which are~~  
 318 ~~operated for the entertainment of the general public and~~  
 319 ~~tourists as a bona fide amusement facility.~~

320 Section 6. Paragraph (a) of subsection (1) of section  
 321 895.02, Florida Statutes, is amended to read:

322 895.02 Definitions.—As used in ss. 895.01-895.08, the  
 323 term:

324 (1) "Racketeering activity" means to commit, to attempt to  
 325 commit, to conspire to commit, or to solicit, coerce, or  
 326 intimidate another person to commit:

327 (a) Any crime that is chargeable by petition, indictment,  
 328 or information under the following provisions of the Florida  
 329 Statutes:

330 1. Section 210.18, relating to evasion of payment of  
 331 cigarette taxes.

332 2. Section 316.1935, relating to fleeing or attempting to



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- 333 elude a law enforcement officer and aggravated fleeing or  
 334 eluding.
- 335 3. Section 403.727(3)(b), relating to environmental  
 336 control.
- 337 4. Section 409.920 or s. 409.9201, relating to Medicaid  
 338 fraud.
- 339 5. Section 414.39, relating to public assistance fraud.
- 340 6. Section 440.105 or s. 440.106, relating to workers'  
 341 compensation.
- 342 7. Section 443.071(4), relating to creation of a  
 343 fictitious employer scheme to commit reemployment assistance  
 344 fraud.
- 345 8. Section 465.0161, relating to distribution of medicinal  
 346 drugs without a permit as an Internet pharmacy.
- 347 9. Section 499.0051, relating to crimes involving  
 348 contraband and adulterated drugs.
- 349 10. Part IV of chapter 501, relating to telemarketing.
- 350 11. Chapter 517, relating to sale of securities and  
 351 investor protection.
- 352 12. Section 550.235 or s. 550.3551, relating to dogracing  
 353 and horseracing.
- 354 13. Chapter 550, relating to jai alai frontons.
- 355 14. Section 551.109, relating to slot machine gaming.
- 356 15. Chapter 552, relating to the manufacture,  
 357 distribution, and use of explosives.
- 358 16. Chapter 560, relating to money transmitters, if the  
 359 violation is punishable as a felony.
- 360 17. Chapter 562, relating to beverage law enforcement.



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361 18. Section 624.401, relating to transacting insurance  
 362 without a certificate of authority, s. 624.437(4)(c)1., relating  
 363 to operating an unauthorized multiple-employer welfare  
 364 arrangement, or s. 626.902(1)(b), relating to representing or  
 365 aiding an unauthorized insurer.

366 19. Section 655.50, relating to reports of currency  
 367 transactions, when such violation is punishable as a felony.

368 20. Chapter 687, relating to interest and usurious  
 369 practices.

370 21. Section 721.08, s. 721.09, or s. 721.13, relating to  
 371 real estate timeshare plans.

372 22. Section 775.13(5)(b), relating to registration of  
 373 persons found to have committed any offense for the purpose of  
 374 benefiting, promoting, or furthering the interests of a criminal  
 375 gang.

376 23. Section 777.03, relating to commission of crimes by  
 377 accessories after the fact.

378 24. Chapter 782, relating to homicide.

379 25. Chapter 784, relating to assault and battery.

380 26. Chapter 787, relating to kidnapping or human  
 381 trafficking.

382 27. Chapter 790, relating to weapons and firearms.

383 28. Chapter 794, relating to sexual battery, but only if  
 384 such crime was committed with the intent to benefit, promote, or  
 385 further the interests of a criminal gang, or for the purpose of  
 386 increasing a criminal gang member's own standing or position  
 387 within a criminal gang.

388 29. Section 796.03, s. 796.035, s. 796.04, s. 796.05, or



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- 389 s. 796.07, relating to prostitution and sex trafficking.
- 390 30. Chapter 806, relating to arson and criminal mischief.
- 391 31. Chapter 810, relating to burglary and trespass.
- 392 32. Chapter 812, relating to theft, robbery, and related
- 393 crimes.
- 394 33. Chapter 815, relating to computer-related crimes.
- 395 34. Chapter 817, relating to fraudulent practices, false
- 396 pretenses, fraud generally, and credit card crimes.
- 397 35. Chapter 825, relating to abuse, neglect, or
- 398 exploitation of an elderly person or disabled adult.
- 399 36. Section 827.071, relating to commercial sexual
- 400 exploitation of children.
- 401 37. Chapter 831, relating to forgery and counterfeiting.
- 402 38. Chapter 832, relating to issuance of worthless checks
- 403 and drafts.
- 404 39. Section 836.05, relating to extortion.
- 405 40. Chapter 837, relating to perjury.
- 406 41. Chapter 838, relating to bribery and misuse of public
- 407 office.
- 408 42. Chapter 843, relating to obstruction of justice.
- 409 43. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 410 s. 847.07, relating to obscene literature and profanity.
- 411 44. Chapter 849 ~~Section 849.09, s. 849.14, s. 849.15, s.~~
- 412 ~~849.23, or s. 849.25,~~ relating to gambling, lottery, gambling or
- 413 gaming devices, slot machines, or any of the provisions within
- 414 that chapter.
- 415 45. Chapter 874, relating to criminal gangs.
- 416 46. Chapter 893, relating to drug abuse prevention and



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417 control.

418 47. Chapter 896, relating to offenses related to financial  
419 transactions.

420 48. Sections 914.22 and 914.23, relating to tampering with  
421 or harassing a witness, victim, or informant, and retaliation  
422 against a witness, victim, or informant.

423 49. Sections 918.12 and 918.13, relating to tampering with  
424 jurors and evidence.

425 Section 7. For the purpose of incorporating the amendment  
426 made by this act to section 895.02, Florida Statutes, in a  
427 reference thereto, paragraph (a) of subsection (1) of section  
428 16.56, Florida Statutes, is reenacted to read:

429 16.56 Office of Statewide Prosecution.—

430 (1) There is created in the Department of Legal Affairs an  
431 Office of Statewide Prosecution. The office shall be a separate  
432 "budget entity" as that term is defined in chapter 216. The  
433 office may:

434 (a) Investigate and prosecute the offenses of:

435 1. Bribery, burglary, criminal usury, extortion, gambling,  
436 kidnapping, larceny, murder, prostitution, perjury, robbery,  
437 carjacking, and home-invasion robbery;

438 2. Any crime involving narcotic or other dangerous drugs;

439 3. Any violation of the provisions of the Florida RICO  
440 (Racketeer Influenced and Corrupt Organization) Act, including  
441 any offense listed in the definition of racketeering activity in  
442 s. 895.02(1)(a), providing such listed offense is investigated  
443 in connection with a violation of s. 895.03 and is charged in a  
444 separate count of an information or indictment containing a





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445 | count charging a violation of s. 895.03, the prosecution of  
 446 | which listed offense may continue independently if the  
 447 | prosecution of the violation of s. 895.03 is terminated for any  
 448 | reason;

449 |       4. Any violation of the provisions of the Florida Anti-  
 450 | Fencing Act;

451 |       5. Any violation of the provisions of the Florida  
 452 | Antitrust Act of 1980, as amended;

453 |       6. Any crime involving, or resulting in, fraud or deceit  
 454 | upon any person;

455 |       7. Any violation of s. 847.0135, relating to computer  
 456 | pornography and child exploitation prevention, or any offense  
 457 | related to a violation of s. 847.0135 or any violation of  
 458 | chapter 827 where the crime is facilitated by or connected to  
 459 | the use of the Internet or any device capable of electronic data  
 460 | storage or transmission;

461 |       8. Any violation of the provisions of chapter 815;

462 |       9. Any criminal violation of part I of chapter 499;

463 |       10. Any violation of the provisions of the Florida Motor  
 464 | Fuel Tax Relief Act of 2004;

465 |       11. Any criminal violation of s. 409.920 or s. 409.9201;

466 |       12. Any crime involving voter registration, voting, or  
 467 | candidate or issue petition activities;

468 |       13. Any criminal violation of the Florida Money Laundering  
 469 | Act;

470 |       14. Any criminal violation of the Florida Securities and  
 471 | Investor Protection Act; or

472 |       15. Any violation of the provisions of chapter 787, as



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473 well as any and all offenses related to a violation of the  
 474 provisions of chapter 787;

475  
 476 or any attempt, solicitation, or conspiracy to commit any of the  
 477 crimes specifically enumerated above. The office shall have such  
 478 power only when any such offense is occurring, or has occurred,  
 479 in two or more judicial circuits as part of a related  
 480 transaction, or when any such offense is connected with an  
 481 organized criminal conspiracy affecting two or more judicial  
 482 circuits. Informations or indictments charging such offenses  
 483 shall contain general allegations stating the judicial circuits  
 484 and counties in which crimes are alleged to have occurred or the  
 485 judicial circuits and counties in which crimes affecting such  
 486 circuits or counties are alleged to have been connected with an  
 487 organized criminal conspiracy.

488 Section 8. For the purpose of incorporating the amendment  
 489 made by this act to section 849.16, Florida Statutes, in a  
 490 reference thereto, subsection (1) of section 338.234, Florida  
 491 Statutes, is reenacted to read:

492 338.234 Granting concessions or selling along the turnpike  
 493 system; immunity from taxation.—

494 (1) The department may enter into contracts or licenses  
 495 with any person for the sale of services or products or business  
 496 opportunities on the turnpike system, or the turnpike enterprise  
 497 may sell services, products, or business opportunities on the  
 498 turnpike system, which benefit the traveling public or provide  
 499 additional revenue to the turnpike system. Services, business  
 500 opportunities, and products authorized to be sold include, but



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501 are not limited to, motor fuel, vehicle towing, and vehicle  
502 maintenance services; food with attendant nonalcoholic  
503 beverages; lodging, meeting rooms, and other business services  
504 opportunities; advertising and other promotional opportunities,  
505 which advertising and promotions must be consistent with the  
506 dignity and integrity of the state; state lottery tickets sold  
507 by authorized retailers; games and amusements that operate by  
508 the application of skill, not including games of chance as  
509 defined in s. 849.16 or other illegal gambling games; Florida  
510 citrus, goods promoting the state, or handmade goods produced  
511 within the state; and travel information, tickets, reservations,  
512 or other related services. However, the department, pursuant to  
513 the grants of authority to the turnpike enterprise under this  
514 section, shall not exercise the power of eminent domain solely  
515 for the purpose of acquiring real property in order to provide  
516 business services or opportunities, such as lodging and meeting-  
517 room space on the turnpike system.

518 Section 9. For the purpose of incorporating the amendment  
519 made by this act to section 895.02, Florida Statutes, in a  
520 reference thereto, paragraph (g) of subsection (3) of section  
521 655.50, Florida Statutes, is reenacted to read:

522 655.50 Florida Control of Money Laundering in Financial  
523 Institutions Act; reports of transactions involving currency or  
524 monetary instruments; when required; purpose; definitions;  
525 penalties.—

526 (3) As used in this section, the term:

527 (g) "Specified unlawful activity" means any "racketeering  
528 activity" as defined in s. 895.02.



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529 Section 10. For the purpose of incorporating the amendment  
 530 made by this act to section 849.16, Florida Statutes, in a  
 531 reference thereto, section 849.19, Florida Statutes, is  
 532 reenacted to read:

533 849.19 Property rights in confiscated machine.—The right  
 534 of property in and to any machine, apparatus or device as  
 535 defined in s. 849.16 and to all money and other things of value  
 536 therein, is declared not to exist in any person, and the same  
 537 shall be forfeited and such money or other things of value shall  
 538 be forfeited to the county in which the seizure was made and  
 539 shall be delivered forthwith to the clerk of the circuit court  
 540 and shall by her or him be placed in the fine and forfeiture  
 541 fund of said county.

542 Section 11. For the purpose of incorporating the amendment  
 543 made by this act to section 895.02, Florida Statutes, in a  
 544 reference thereto, paragraph (g) of subsection (2) of section  
 545 896.101, Florida Statutes, is reenacted to read:

546 896.101 Florida Money Laundering Act; definitions;  
 547 penalties; injunctions; seizure warrants; immunity.—

548 (2) As used in this section, the term:

549 (g) "Specified unlawful activity" means any "racketeering  
 550 activity" as defined in s. 895.02.

551 Section 12. For the purpose of incorporating the amendment  
 552 made by this act to section 895.02, Florida Statutes, in a  
 553 reference thereto, subsection (3) of section 905.34, Florida  
 554 Statutes, is reenacted to read:

555 905.34 Powers and duties; law applicable.—The jurisdiction  
 556 of a statewide grand jury impaneled under this chapter shall



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557 extend throughout the state. The subject matter jurisdiction of  
558 the statewide grand jury shall be limited to the offenses of:

559 (3) Any violation of the provisions of the Florida RICO  
560 (Racketeer Influenced and Corrupt Organization) Act, including  
561 any offense listed in the definition of racketeering activity in  
562 s. 895.02(1)(a), providing such listed offense is investigated  
563 in connection with a violation of s. 895.03 and is charged in a  
564 separate count of an information or indictment containing a  
565 count charging a violation of s. 895.03, the prosecution of  
566 which listed offense may continue independently if the  
567 prosecution of the violation of s. 895.03 is terminated for any  
568 reason;

569  
570 or any attempt, solicitation, or conspiracy to commit any  
571 violation of the crimes specifically enumerated above, when any  
572 such offense is occurring, or has occurred, in two or more  
573 judicial circuits as part of a related transaction or when any  
574 such offense is connected with an organized criminal conspiracy  
575 affecting two or more judicial circuits. The statewide grand  
576 jury may return indictments and presentments irrespective of the  
577 county or judicial circuit where the offense is committed or  
578 triable. If an indictment is returned, it shall be certified and  
579 transferred for trial to the county where the offense was  
580 committed. The powers and duties of, and law applicable to,  
581 county grand juries shall apply to a statewide grand jury except  
582 when such powers, duties, and law are inconsistent with the  
583 provisions of ss. 905.31-905.40.

584 Section 13. This act shall take effect upon becoming a



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