

1                                   A bill to be entitled  
2           An act relating to pari-mutuel permitholders; amending  
3           ss. 550.01215 and 550.054, F.S.; deleting a  
4           requirement that certain permitholders show that their  
5           permits have not been disapproved or recalled at a  
6           later election when submitting subsequent annual  
7           applications to the Florida Gaming Control Commission;  
8           amending s. 550.0555, F.S.; revising legislative  
9           findings with respect to the relocation of greyhound  
10          dogracing permits; authorizing greyhound dogracing  
11          permitholders to relocate if specified conditions are  
12          met; voiding an additional permit if the commission  
13          approves a relocation; specifying areas to which a  
14          permitholder may not relocate; amending s. 550.0651,  
15          F.S.; providing that pari-mutuel facilities that  
16          relocated in accordance with the act are not subject  
17          to municipal restrictions on the establishment of such  
18          facilities; amending s. 551.102, F.S.; revising the  
19          definition of the term "eligible facility" to conform  
20          to changes made by the act; amending s. 551.114, F.S.;  
21          requiring that a slot machine gaming area of a  
22          relocated pari-mutuel facility be at the location for  
23          which the relocation was approved; amending s.  
24          849.086, F.S.; providing that pari-mutuel facilities  
25          that relocated in accordance with the act are not

26 subject to municipal restrictions on the establishment  
 27 of cardrooms; making a technical change; providing an  
 28 effective date.

29  
 30 Be It Enacted by the Legislature of the State of Florida:

31  
 32 Section 1. Subsection (2) of section 550.01215, Florida  
 33 Statutes, is amended to read:

34 550.01215 License application; periods of operation;  
 35 license fees; bond.—

36 (2) After the first license has been issued to a  
 37 permitholder, all subsequent annual applications for a license  
 38 shall be accompanied by proof, in such form as the commission  
 39 may by rule require, that the permitholder continues to possess  
 40 the qualifications prescribed by this chapter, ~~and that the~~  
 41 ~~permit has not been disapproved at a later election.~~

42 Section 2. Paragraph (a) of subsection (9) of section  
 43 550.054, Florida Statutes, is amended to read:

44 550.054 Application for permit to conduct pari-mutuel  
 45 wagering.—

46 (9)(a) After a permit has been granted by the commission  
 47 and has been ratified and approved by the majority of the  
 48 electors participating in the election in the county designated  
 49 in the permit, the commission shall grant to the lawful  
 50 permitholder, subject to the conditions of this chapter, a

51 license to conduct pari-mutuel operations under this chapter,  
 52 and, except as provided in s. 550.5251, the commission shall fix  
 53 annually the time, place, and number of days during which pari-  
 54 mutuel operations may be conducted by the permitholder at the  
 55 location fixed in the permit and ratified in the election. After  
 56 the first license has been issued to the holder of a ratified  
 57 permit for racing in any county, all subsequent annual  
 58 applications for a license by that permitholder must be  
 59 accompanied by proof, in such form as the commission requires,  
 60 that the ratified permitholder still possesses all the  
 61 qualifications prescribed by this chapter ~~and that the permit~~  
 62 ~~has not been recalled at a later election held in the county.~~

63 Section 3. Section 550.0555, Florida Statutes, is amended  
 64 to read:

65 550.0555 Greyhound dogracing permits; relocation ~~within a~~  
 66 ~~county~~; conditions.—

67 (1) It is the finding of the Legislature that substantial  
 68 state revenues are derived from greyhound dogracing  
 69 permitholders' pari-mutuel wagering activities as well as other  
 70 authorized gaming activities associated with such permits,  
 71 including the operation of cardrooms and slot machines. The  
 72 Legislature further finds that revenues derived from greyhound  
 73 dogracing permitholders' pari-mutuel wagering activities and  
 74 other gaming activities are adversely impacted absent the right  
 75 to move the location for which the permit has been issued to

76 another location and that, consistent with the Legislature's  
 77 regulation of pari-mutuel wagering permitholders, authorizing  
 78 the relocation of permits will preserve and further enhance  
 79 state revenues ~~on greyhound dogracing provides substantial~~  
 80 ~~revenues to the state. It is the further finding that, in some~~  
 81 ~~eases, this revenue-producing ability is hindered due to the~~  
 82 ~~lack of provisions allowing the relocation of existing dogracing~~  
 83 ~~operations. It is therefore declared that state revenues derived~~  
 84 ~~from greyhound dogracing will continue to be jeopardized if~~  
 85 ~~provisions allowing the relocation of such greyhound racing~~  
 86 ~~permits are not implemented. This enactment is made pursuant to,~~  
 87 ~~and for the purpose of, implementing such provisions.~~

88 (2) Any holder of a valid outstanding permit for greyhound  
 89 dogracing in a county in which there is only one dogracing  
 90 permit issued, as well as any holder of a valid outstanding  
 91 permit for jai alai in a county where only one jai alai permit  
 92 is issued, is authorized, without the necessity of an additional  
 93 county referendum required under s. 550.0651, to move the  
 94 location for which the permit has been issued to another  
 95 location within a 30-mile radius of the location fixed in the  
 96 permit issued in that county, provided the move does not cross  
 97 the county boundary, that such relocation is approved under the  
 98 zoning regulations of the county or municipality in which the  
 99 permit is to be located as a planned development use, consistent  
 100 with the comprehensive plan, and that such move is approved by

101 the commission after it is determined at a proceeding pursuant  
102 to chapter 120 in the county affected that the move is necessary  
103 to ensure the revenue-producing capability of the permittee  
104 without deteriorating the revenue-producing capability of any  
105 other pari-mutuel permittee within 50 miles; the distance shall  
106 be measured on a straight line from the nearest property line of  
107 one racing plant or jai alai fronton to the nearest property  
108 line of the other.

109 (3) Notwithstanding subsection (2), any greyhound  
110 dogracing permitholder, without the necessity of an additional  
111 county referendum required under s. 550.0651, s. 551.101, or s.  
112 849.086(17), as applicable, may move the location for which the  
113 permit has been issued to another location within a 30-mile  
114 radius of the location fixed in the permit issued, provided that  
115 the requirements of this subsection are met and the county to  
116 which the permit will relocate has already approved pari-mutuel  
117 wagering and cardrooms and slot machine operations, as  
118 applicable. Notwithstanding any local government regulations,  
119 permitting, or ordinances, and if the conditions of this  
120 subsection are met, such permitholder may continue to operate at  
121 the new location all pari-mutuel wagering and gaming activities  
122 that it is already authorized and licensed to operate, including  
123 activities conducted pursuant to chapters 550 and 551 and s.  
124 849.086. The greyhound dogracing permit proposed for relocation  
125 must, at the time of relocation, be authorized to conduct pari-

126 mutuel activities and authorized to operate a cardroom or slot  
 127 machines in addition to having a majority ultimate owner in  
 128 common with another currently licensed greyhound dogracing  
 129 permit, regardless of whether the permits are located in the  
 130 same county. Upon the commission's final approval of the  
 131 relocation and issuance of all operating licenses for the new  
 132 location, the second greyhound dogracing permit is forfeited to  
 133 the state and is thereafter void.

134 (4) A pari-mutuel permitholder that relocates its pari-  
 135 mutuel facility pursuant to subsection (3) and that is  
 136 authorized to operate slot machines at such facility may not  
 137 relocate the pari-mutuel facility to a location in Miami-Dade or  
 138 Broward Counties which is within a 15-mile radius, measured in a  
 139 straight line, of any facility in Broward County operated by the  
 140 Seminole Tribe of Florida which offers or is authorized to offer  
 141 class III gaming, as defined in the federal Indian Gaming  
 142 Regulatory Act of 1988.

143 Section 4. Subsection (6) of section 550.0651, Florida  
 144 Statutes, is amended to read:

145 550.0651 Elections for ratification of permits; municipal  
 146 prohibitions.—

147 (6) Notwithstanding any other provision of law, a  
 148 municipality may prohibit the establishment of a pari-mutuel  
 149 facility on or after July 1, 2021, in its jurisdiction. This  
 150 subsection does not apply to a permitholder who held an

151 operating license for the conduct of pari-mutuel wagering for  
 152 fiscal year 2020-2021 in the municipality's jurisdiction, ~~or to~~  
 153 a pari-mutuel facility that was previously approved by the  
 154 municipality, or a pari-mutuel facility that is authorized to  
 155 relocate pursuant to s. 550.0555(3).

156 Section 5. Subsection (4) of section 551.102, Florida  
 157 Statutes, is amended to read:

158 551.102 Definitions.—As used in this chapter, the term:

159 (4) "Eligible facility" means any licensed pari-mutuel  
 160 facility located in Miami-Dade County or Broward County existing  
 161 at the time of adoption of s. 23, Art. X of the State  
 162 Constitution that has conducted live racing or games during  
 163 calendar years 2002 and 2003 and has been approved by a majority  
 164 of voters in a countywide referendum to have slot machines at  
 165 such facility in the respective county; any licensed pari-mutuel  
 166 facility located within a county as defined in s. 125.011,  
 167 provided such facility has conducted live racing for 2  
 168 consecutive calendar years immediately preceding its application  
 169 for a slot machine license, pays the required license fee, and  
 170 meets the other requirements of this chapter; or any licensed  
 171 pari-mutuel facility in any other county in which a majority of  
 172 voters have approved slot machines at such facilities in a  
 173 countywide referendum held pursuant to a statutory or  
 174 constitutional authorization after the effective date of this  
 175 section in the respective county, provided such facility has

176 conducted a full schedule of live racing for 2 consecutive  
 177 calendar years immediately preceding its application for a slot  
 178 machine license, pays the required licensed fee, and meets the  
 179 other requirements of this chapter. The term includes any such  
 180 facility that has relocated pursuant to s. 550.0555(3) and  
 181 remains eligible to conduct slot machine operations at the new  
 182 location.

183 Section 6. Subsection (4) of section 551.114, Florida  
 184 Statutes, is amended to read:

185 551.114 Slot machine gaming areas.—

186 (4) Designated slot machine gaming areas must be located  
 187 at the address specified in the licensed permit holder's slot  
 188 machine license issued for fiscal year 2020-2021.

189 Notwithstanding the foregoing, if a pari-mutuel permit with an  
 190 associated license for slot machine gaming relocates pursuant to  
 191 s. 550.0555(3), the designated slot machine gaming area must be  
 192 located at the location approved for the relocation of the pari-  
 193 mutuel permit.

194 Section 7. Subsections (16) and (17) of section 849.086,  
 195 Florida Statutes, are amended to read:

196 849.086 Cardrooms authorized.—

197 (16) LOCAL GOVERNMENT APPROVAL.—

198 (a) The commission may ~~shall~~ not issue any initial license  
 199 under this section except upon proof in such form as the  
 200 commission may prescribe that the local government where the



201 applicant for such license desires to conduct cardroom gaming  
 202 has voted to approve such activity by a majority vote of the  
 203 governing body of the municipality or the governing body of the  
 204 county if the facility is not located in a municipality.

205 (b) Notwithstanding any other provision of law, a  
 206 municipality may prohibit the establishment of a cardroom on or  
 207 after July 1, 2021, within its jurisdiction. This paragraph does  
 208 not apply to a licensed pari-mutuel permitholder who held an  
 209 operating license for the conduct of pari-mutuel wagering for  
 210 fiscal year 2020-2021 in the municipality's jurisdiction, ~~or to~~  
 211 a cardroom that was previously approved by the municipality, or  
 212 a cardroom operated at a pari-mutuel facility authorized to  
 213 relocate pursuant to s. 550.0555(3).

214 (17) CHANGE OF LOCATION; REFERENDUM.—

215 (a) Notwithstanding any provisions of this section, no  
 216 cardroom gaming license issued under this section shall be  
 217 transferred, or reissued when such reissuance is in the nature  
 218 of a transfer, so as to permit or authorize a licensee to change  
 219 the location of the cardroom except upon proof in such form as  
 220 the commission may prescribe that a referendum election has been  
 221 held:

222 1. If the proposed new location is within the same county  
 223 as the already licensed location, in the county where the  
 224 licensee desires to conduct cardroom gaming and that a majority  
 225 of the electors voting on the question in such election voted in

HB 1127

2024

226 favor of the transfer of such license. Notwithstanding the  
227 foregoing ~~However~~, the commission shall transfer, without  
228 requirement of a referendum election, the cardroom license of  
229 any permitholder that relocated its permit pursuant to s.  
230 550.0555.

231 2. If the proposed new location is not within the same  
232 county as the already licensed location, in the county where the  
233 licensee desires to conduct cardroom gaming and that a majority  
234 of the electors voting on that question in each such election  
235 voted in favor of the transfer of such license.

236 (b) The expense of each referendum held under the  
237 provisions of this subsection shall be borne by the licensee  
238 requesting the transfer.

239 Section 8. This act shall take effect July 1, 2024.