

1 A bill to be entitled
2 An act relating to gaming; amending s. 285.710, F.S.;
3 authorizing and directing the Governor, in cooperation
4 with the Seminole Tribe of Florida, to execute a new
5 compact in the form provided; signifying the
6 Legislature's approval and ratification of such
7 compact that does not materially alter from the
8 approved form; providing terms and conditions for the
9 gaming compact; providing definitions; authorizing the
10 Tribe to operate covered games on its lands in
11 accordance with the compact and at specified
12 facilities; prohibiting specified games; providing
13 requirements for resolution of patron disputes
14 involving gaming, tort claims, and employee disputes;
15 providing requirements for regulation and enforcement
16 of the compact; requiring the state to conduct random
17 inspections of tribal facilities; authorizing the
18 state to annually conduct an independent audit;
19 requiring the Tribe and commission to comply with
20 specified licensing and hearing requirements;
21 requiring the Tribe to make specified revenue share
22 payments to the state, with reductions authorized
23 under certain circumstances; requiring the Tribe to
24 pay an annual oversight assessment and annual donation
25 to the Florida Council on Compulsive Gaming; providing

26 | for dispute resolution between the Tribe and the
27 | state; providing an effective date and termination of
28 | the compact; providing for execution of the compact;
29 | amending s. 285.712, F.S.; requiring the Governor to
30 | provide a copy of the executed compact to specified
31 | parties and direct the Secretary of State to forward a
32 | copy to the Secretary of the Interior; creating s.
33 | 288.1098, F.S.; creating the Pari-mutuel Site
34 | Redevelopment and Job Creation Program; providing
35 | definitions; allowing owners of certain pari-mutuel
36 | facilities to relinquish their licenses by a specified
37 | date in exchange for a certain payment; providing
38 | conditions for such payment; authorizing the program
39 | to allocate funds for job training for specified
40 | persons; allowing the Department of Economic
41 | Opportunity to develop job training programs or award
42 | such funds as grants under certain conditions; giving
43 | priority to certain individuals in the program under
44 | specified conditions; authorizing the department to
45 | allocate funds for animal adoption programs that meet
46 | specified requirements; providing for rulemaking;
47 | amending s. 550.054, F.S.; requiring the Division of
48 | Pari-mutuel Wagering to revoke a permit to conduct
49 | pari-mutuel wagering for a permit holder that fails to
50 | make specified payments or obtain an operating

51 license; prohibiting the issuance of new permits;
52 deleting provisions related to the conversion of
53 permits; repealing s. 550.0555, F.S., relating to
54 relocation of a greyhound dogracing permit within the
55 same county; repealing s. 550.0745, F.S., relating to
56 conversion of a pari-mutuel permit to a summer jai
57 alai permit; amending ss. 550.09512 and 550.09515,
58 F.S.; requiring the division to revoke the permit of a
59 harness horse racing permitholder or thoroughbred
60 racing permitholder, respectively, who does not pay
61 tax on handle for a specified period of time; deleting
62 provisions relating to the reissuance of escheated
63 permits; amending s. 550.3345, F.S.; revising
64 provisions relating to a limited thoroughbred racing
65 permit previously converted from a quarter horse
66 racing permit; amending s. 551.102, F.S.; revising the
67 definition of the term "eligible facility"; amending
68 s. 551.104, F.S.; prohibiting the division from
69 issuing a license to conduct or authorize slot machine
70 gaming after a specified date; amending s. 551.106,
71 F.S.; revising the tax rate on slot machine revenue at
72 certain facilities; amending s. 849.086, F.S.;

73 revising definitions; prohibiting specified cardroom
74 games; authorizing the division to revoke a cardroom
75 license after a certain date for specified actions;

76 correcting a cross-reference; providing action by the
 77 division construed to constitute permission by the
 78 state to conduct certain cardroom games is not state
 79 action; providing an effective date.

80

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

82

83 Section 1. Paragraph (a) of subsection (1) and subsection
 84 (3) of section 285.710, Florida Statutes, are amended to read:

85 285.710 Compact authorization.—

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

87 (a) "Compact" means the Gaming Compact between the
 88 Seminole Tribe of Florida and the State of Florida, ~~executed on~~
 89 ~~April 7, 2010.~~

90 (3) (a) The Gaming Compact between the Seminole Tribe of
 91 Florida and the State of Florida, executed by the Governor and
 92 the Tribe on April 7, 2010, was is ratified and approved by
 93 chapter 2010-29, Laws of Florida. ~~The Governor shall cooperate~~
 94 ~~with the Tribe in seeking approval of the compact from the~~
 95 ~~United States Secretary of the Interior.~~

96 (b) The Governor, on behalf of this state, is hereby
 97 authorized and directed to execute a new compact with the Tribe
 98 as set forth in paragraph (c), and the Legislature hereby
 99 signifies in advance its approval and ratification of such
 100 compact, provided that it is identical to the compact set forth

101 in paragraph (c) and becomes effective on or before January 1,
 102 2021. The Governor shall cooperate with the Tribe in seeking
 103 approval of such compact ratified and approved under this
 104 paragraph from the Secretary of the Department of the Interior.
 105 Upon becoming effective, such compact supersedes the Gaming
 106 Compact ratified and approved under paragraph (a), which shall
 107 then become null and void.

108 (c) The Legislature hereby approves and ratifies the
 109 following Gaming Compact between the State of Florida and the
 110 Seminole Tribe of Florida, provided that such compact becomes
 111 effective on or before July 1, 2020:

112
 113 Gaming Compact Between the Seminole Tribe of Florida
 114 and the State of Florida
 115

116 This compact is made and entered into by and between the
 117 Seminole Tribe of Florida and the State of Florida, with respect
 118 to the operation of covered games, as defined herein, on
 119 Seminole Tribe of Florida Indian lands, as defined by the Indian
 120 Gaming Regulatory Act, 25 U.S.C. ss. 2701 et seq.

121
 122 PART I
 123

124 TITLE.—This document shall be referred to as the "Gaming
 125 Compact between the Seminole Tribe of Florida and the State of

126 Florida."

127

128 PART II

129

130 LEGISLATIVE FINDINGS.—

131 (1) The Seminole Tribe of Florida is a federally
 132 recognized tribal government that possesses sovereign powers and
 133 rights of self-government.

134 (2) The State of Florida is a state of the United States
 135 of America that possesses the sovereign powers and rights of a
 136 state.

137 (3) The State of Florida and the Seminole Tribe of Florida
 138 maintain a government-to-government relationship.

139 (4) The United States Supreme Court has long recognized
 140 the right of an Indian tribe to regulate activity on lands
 141 within its jurisdiction, but the United States Congress, through
 142 the Indian Gaming Regulatory Act, has given states a role in the
 143 conduct of tribal gaming in accordance with negotiated tribal-
 144 state compacts.

145 (5) Pursuant to the Seminole Tribe Amended Gaming
 146 Ordinance, adopted by Resolution No. C-195-06, and approved by
 147 the Chairman of the National Indian Gaming Commission on July
 148 10, 2006, hereafter referred to as the "Seminole Tribal Gaming
 149 Code," the Seminole Tribe of Florida desires to offer the play
 150 of covered games, as defined in Part III, as a means of

151 generating revenues for purposes authorized by the Indian Gaming
152 Regulatory Act, including, without limitation, the support of
153 tribal governmental programs, such as health care, housing,
154 sewer and water projects, police, fire suppression, general
155 assistance for tribal elders, day care for children, economic
156 development, educational opportunities, per capita payments to
157 tribal members, and other typical and valuable governmental
158 services and programs for tribal members.

159 (6) This compact is the only gaming compact between the
160 Tribe and the state. This compact supersedes the Gaming Compact
161 between the Tribe and the state executed on or about April 7,
162 2010, which was subsequently ratified by the Legislature and
163 went into effect on or about July 6, 2010.

164 (7) It is in the best interests of the Seminole Tribe of
165 Florida and the State of Florida for the state to enter into a
166 compact with the Tribe that recognizes the Tribe's right to
167 offer certain Class III gaming and provides substantial
168 exclusivity of such activities in conjunction with a reasonable
169 revenue sharing arrangement between the Tribe and the state that
170 will entitle the state to significant revenue participation.

171
172 PART III
173

174 DEFINITIONS.—As used in this compact, the term:

175 (1) "Annual oversight assessment" means the amount owed by

176 the Tribe to the state for reimbursement for the actual and
177 reasonable costs incurred by the state compliance agency to
178 perform the monitoring functions set forth under the compact.

179 (2) "Class II video bingo terminals" means any electronic
180 aid to a Class II bingo game that includes a video spinning reel
181 or mechanical spinning reel display.

182 (3) "Class III gaming" means the forms of Class III gaming
183 as defined in 25 U.S.C. s. 2703(8) and by the regulations of the
184 National Indian Gaming Commission.

185 (4) "Commission" means the Seminole Tribal Gaming
186 Commission, which is the tribal governmental agency that has the
187 authority to carry out the Tribe's regulatory and oversight
188 responsibilities under this compact.

189 (5) "Compact" means this Gaming Compact between the
190 Seminole Tribe of Florida and the State of Florida.

191 (6) "Covered game" or "covered gaming activity" means the
192 following Class III gaming activities:

193 (a) Slot machines, which machines must meet all of the
194 following requirements:

195 1. Any mechanical or electrical contrivance, terminal that
196 may or may not be capable of downloading slot games from a
197 central server system, machine, or other device.

198 2. Require, for play or operation, the insertion of a
199 coin, bill, ticket, token, or similar object, or payment of any
200 consideration, including the use of any electronic payment

201 system, except a credit card or debit card, unless state law
202 authorizes the use of an electronic payment system that uses a
203 credit or debit card payment, in which case the Tribe is
204 authorized to use such payment system.

205 3. Are available to play or operate, the play or operation
206 of which, whether by reason of skill or application of the
207 element of chance or both, may deliver or entitle the person or
208 persons playing or operating the contrivance, terminal, machine,
209 or other device to receive cash, billets, tickets, tokens, or
210 electronic credits to be exchanged for cash or to receive
211 merchandise or anything of value, whether the payoff is made
212 automatically from the machine or manually.

213 4. Includes associated equipment necessary to conduct the
214 operation of the contrivance, terminal, machine, or other
215 device.

216 5. May use spinning reels, video displays, or both.

217 (b) Banking or banked card games, including any card games
218 that are banked by the house, a player, other person or party,
219 or any combination or variation thereof, such as baccarat,
220 chemin de fer, and blackjack or 21; provided that the Tribe
221 shall not offer such banked card games at its Brighton or Big
222 Cypress facilities.

223 (c) Raffles and drawings.

224 (d) Any new game, if expressly authorized pursuant to the
225 requirements of Section 30, Article X of the State Constitution,

226 enacted subsequent to the effective date of this compact and
227 lawfully conducted by any person for any purpose pursuant to
228 such authorization, except for banked card games authorized for
229 any other federally recognized tribe pursuant to Indian Gaming
230 Regulatory Act, provided that the tribe has land in federal
231 trust in the state as of July 1, 2020.

232 (7) "Covered game employee" or "covered employee" means an
233 individual employed and licensed by the Tribe whose
234 responsibilities include the rendering of services with respect
235 to the operation, maintenance, or management of covered games,
236 including, but not limited to, managers and assistant managers;
237 accounting personnel; commission officers; surveillance and
238 security personnel; cashiers, supervisors, and floor personnel;
239 cage personnel; and any other employee whose employment duties
240 require or authorize access to areas of the facility related to
241 the conduct of covered games or the technical support or storage
242 of covered game components. The term does not include the
243 Tribe's elected officials, provided that such individuals are
244 not directly involved in the operation, maintenance, or
245 management of covered games or covered games components.

246 (8) "Documents" means books, records, electronic,
247 magnetic, and computer media documents, and other writings and
248 materials, copies of such documents and writings, and
249 information contained in such documents and writings.

250 (9) "Effective date" means the date on which the compact

251 becomes effective pursuant to subsection (1) of Part XVI.

252 (10) "Electronic bingo machine" means a card minding
253 device, which may only be used in connection with a bingo game
254 as defined in s. 849.0931(1)(a), Florida Statutes, which is
255 certified in advance by an independent testing laboratory
256 approved by the Division of Pari-mutuel Wagering as a bingo aid
257 device that meets all of the following requirements:

258 (a) Aids a bingo game player by:

259 1. Storing in the memory of the device not more than three
260 bingo faces of tangible bingo cards as defined by s.
261 849.0931(1)(b), Florida Statutes, purchased by a player.

262 2. Comparing the numbers drawn and individually entered
263 into the device by the player to the bingo faces previously
264 stored in the memory of the device.

265 3. Identifying preannounced winning bingo patterns marked
266 or covered on the stored bingo faces.

267 (b) Is not capable of accepting or dispensing any coins,
268 currency, or tokens.

269 (c) Is not capable of monitoring any bingo card face other
270 than the faces of the tangible bingo card or cards purchased by
271 the player for that game.

272 (d) Is not capable of displaying or representing the game
273 result through any means other than highlighting the winning
274 numbers marked or covered on the bingo card face or giving an
275 audio alert that the player's card has a prize-winning pattern.

276 Casino game graphics, themes, or titles, including, but not
277 limited to, depictions of slot machine-style symbols, cards,
278 craps, roulette, or lottery may not be used.

279 (e) Is not capable of determining the outcome of any game.

280 (f) Does not award progressive prizes of more than \$2,500.

281 (g) Does not award prizes exceeding \$1,000, other than
282 progressive prizes not exceeding \$2,500.

283 (h) Does not contain more than one player position for
284 playing bingo.

285 (i) Does not contain or does not link to more than one
286 video display.

287 (j) Awards prizes based solely on the results of the bingo
288 game, with no additional element of chance.

289 (11) "Facility" means a building or buildings of the Tribe
290 in which the covered games authorized by this compact are
291 conducted.

292 (12) "Guaranteed minimum compact term payment" means a
293 minimum total payment for the guarantee payment period of \$3
294 billion, which shall include all revenue share payments during
295 the guarantee payment period.

296 (13) "Guarantee payment period" means the 4-year period
297 beginning July 1, 2020, and ending June 30, 2024.

298 (14) "Guaranteed revenue sharing cycle payment" means the
299 payments as provided in Part XI.

300 (15) "Indian Gaming Regulatory Act" means the Indian

301 Gaming Regulatory Act, Pub. L. 100-497, Oct. 17, 1988, 102 Stat.
302 2467, codified at 25 U.S.C. ss. 2701 et seq. and 18 U.S.C. ss.
303 1166 to 1168.

304 (16) "Indian lands" means the lands defined in 25 U.S.C.
305 s. 2703(4).

306 (17) "Lottery vending machine" means either of the
307 following two types of machines:

308 (a) A machine that dispenses preprinted paper instant
309 lottery tickets, but does not read or reveal the results of the
310 ticket or allow a player to redeem any ticket. The machine, or
311 any machine or device linked to the machine, does not include or
312 make use of video reels or mechanical reels or other video
313 depictions of slot machine or casino game themes or titles for
314 game play, but does not preclude the use of casino game themes
315 or titles on such tickets or signage or advertising displays on
316 the machines;

317 (b) A machine that dispenses a paper lottery ticket with
318 numbers selected by the player or randomly by the machine, but
319 does not reveal the winning numbers. Such winning numbers are
320 selected at a subsequent time and different location through a
321 drawing conducted by the state lottery. The machine, or any
322 machine or device linked to the machine, does not include or
323 make use of video reels or mechanical reels or other video
324 depictions of slot machine or casino game themes or titles for
325 game play. The machine is not used to redeem a winning ticket.

326 This does not preclude the use of casino game themes, titles for
327 signage, or advertising displays on the machine.

328 (18) "Monthly payment" means the monthly revenue share
329 payment which the Tribe remits to the state on the 15th day of
330 the month following each month of the revenue sharing cycle.

331 (19) "Net revenue base" means the net win for the 12-month
332 period immediately preceding this compact.

333 (20) "Net win" means the total receipts from the play of
334 all covered games less all prize payouts and free play or
335 promotional credits issued by the Tribe.

336 (21) "Pari-mutuel wagering activities" means those
337 activities presently authorized by chapter 550, which do not
338 include any casino-style game or device that includes video
339 reels or mechanical reels or other slot machine or casino game
340 themes or titles.

341 (22) "Patron" means any person who is on the premises of a
342 facility, or who enters the Seminole Tribe of Florida Indian
343 lands for the purpose of playing covered games authorized by
344 this compact.

345 (23) "Regular payment period" means the period beginning
346 on July 1, 2024, and terminating at the end of the term of this
347 compact.

348 (24) "Revenue share payment" means the periodic payment by
349 the Tribe to the state provided for in Part XI.

350 (25) "Revenue sharing cycle" means the annual 12-month

351 period of the Tribe's operation of covered games in its
352 facilities beginning on July 1 of each fiscal year.

353 (26) "Rules and regulations" means the rules and
354 regulations promulgated by the commission for implementation of
355 this compact.

356 (27) "State" means the State of Florida.

357 (28) "State compliance agency" means the state agency
358 designated by the Florida Legislature that has the authority to
359 carry out the state's oversight responsibilities under this
360 compact.

361 (29) "Tribe" means the Seminole Tribe of Florida or any
362 affiliate thereof conducting activities pursuant to this compact
363 under the authority of the Seminole Tribe of Florida.

364
365 PART IV

366
367 AUTHORIZATION AND LOCATION OF COVERED GAMES.—

368 (1) The Tribe and state agree that the Tribe is authorized
369 to operate covered games on its Indian lands, as defined in the
370 Indian Gaming Regulatory Act, in accordance with the provisions
371 of this compact. Except as otherwise provided in this compact,
372 nothing gives the Tribe the right to conduct roulette, craps,
373 roulette-style games, or craps-style games; however, nothing in
374 the compact is intended to prohibit the Tribe from operating
375 slot machines that employ video or mechanical displays of

376 roulette, wheels, or other table game themes. Except for the
377 provisions in subsection (1) of Part XI, nothing in this compact
378 shall limit the Tribe's right to operate any Class II gaming
379 under the Indian Gaming Regulatory Act.

380 (2) The Tribe is authorized to conduct covered games under
381 this compact only at the following seven existing facilities,
382 which may be expanded or replaced as provided in subsection (3)
383 on Indian lands:

384 (a) Seminole Indian Casino-Brighton in Okeechobee, FL.

385 (b) Seminole Indian Casino-Coconut Creek in Coconut Creek,
386 FL.

387 (c) Seminole Indian Casino-Hollywood in Hollywood, FL.

388 (d) Seminole Indian Casino-Immokalee in Immokalee, FL.

389 (e) Seminole Indian Casino-Big Cypress in Clewiston, FL.

390 (f) Seminole Hard Rock Hotel & Casino-Hollywood in
391 Hollywood, FL.

392 (g) Seminole Hard Rock Hotel & Casino-Tampa in Tampa, FL.

393 (3) Any of the facilities existing on Indian lands
394 identified in subsection (2) may be expanded or replaced by
395 another facility on the same Indian lands with at least 60 days'
396 advance notice to the state, provided that the finished
397 operating size of such expansion or replacement is not greater
398 than 150 percent of the operating size of the facility as of the
399 effective date of this compact.

400 PART V

401
402 RULES AND REGULATIONS; MINIMUM REQUIREMENTS FOR
403 OPERATIONS.—

404 (1) At all times during the term of this compact, the
405 Tribe shall be responsible for all duties that are assigned to
406 it and the commission under this compact. The Tribe shall
407 promulgate any rules necessary to implement this compact, which,
408 at a minimum, shall expressly include or incorporate by
409 reference all provisions of Parts V, VI, VII, and VIII. Nothing
410 in this compact shall be construed to affect the Tribe's right
411 to amend its rules, provided that any such amendment is in
412 conformity with this compact. The state compliance agency may
413 propose additional rules consistent with and related to the
414 implementation of this compact to the commission at any time,
415 and the commission shall give good faith consideration to such
416 proposed rules and shall notify the state compliance agency of
417 its response or action with respect to such rules.

418 (2) All facilities shall comply with, and all covered
419 games approved under this compact shall be operated in
420 accordance with, the requirements set forth in this compact,
421 including, but not limited to, the requirements set forth in
422 subsections (3) and (4) and the Internal Control Policies and
423 Procedures of the Tribe. In addition, all facilities and all
424 covered games shall be operated in strict compliance with tribal
425 internal control standards that provide a level of control that

426 equals or exceeds those set forth in the Minimum Internal
427 Control Standards of the National Gaming Commission, 25 C.F.R.
428 part 542 (2015), even if the 2015 regulations are determined to
429 be invalid or are subsequently withdrawn by the National Indian
430 Gaming Commission. The Tribe may amend or supplement its
431 internal control standards from time to time, provided that such
432 changes continue to provide a level of control that equals or
433 exceeds those set forth in 25 C.F.R. part 542 (2015).

434 (3) The Tribe and the commission shall retain all
435 documents in compliance with the requirements set forth in the
436 Record Retention Policies and Procedures of the Tribe.

437 (4) The Tribe shall continue and maintain its program to
438 combat problem gambling and curtail compulsive gambling and work
439 with the Florida Council on Compulsive Gambling or other
440 organizations dedicated to assisting problem gamblers. The Tribe
441 shall continue to maintain the following safeguards against
442 problem gambling:

443 (a) The Tribe shall provide to every new gaming employee a
444 comprehensive training and education program designed in
445 cooperation with the Florida Council on Compulsive Gambling or
446 other organization dedicated to assisting problem gamblers.

447 (b) The Tribe shall make printed materials available to
448 patrons, which include contact information for the Florida
449 Council on Compulsive Gambling 24-hour helpline or other hotline
450 dedicated to assisting problem gamblers, and will work with the

451 Florida Council on Compulsive Gambling or other organization
452 dedicated to assisting problem gamblers to provide contact
453 information for the Florida Council on Compulsive Gambling or
454 other organization dedicated to assisting problem gamblers, and
455 to provide such information on the facility's website. The Tribe
456 shall continue to display within the facilities all literature
457 from the Florida Council on Compulsive Gambling or other
458 organization dedicated to assisting problem gamblers.

459 (c)1. The commission shall establish a list of patrons
460 voluntarily excluded from the Tribe's facilities, pursuant to
461 subparagraph 3.

462 2. The Tribe shall employ its best efforts to exclude
463 patrons on such list from entry into its facilities; provided
464 that nothing in this compact shall create for patrons who are
465 excluded but gain access to the facilities, or any other person,
466 a cause of action or claim against the state, the Tribe or the
467 commission, or any other person, entity, or agency for failing
468 to enforce such exclusion.

469 3. Patrons who believe they may be compulsively playing
470 covered games may request that their names be placed on the list
471 of patrons voluntarily excluded from the Tribe's facilities.

472 (d) All covered game employees shall receive training on
473 identifying compulsive gamblers and shall be instructed to ask
474 such persons to leave. The facility shall make available signs
475 bearing a toll-free help-line number and educational and

476 informational materials at conspicuous locations and automated
477 teller machines in each facility, which materials aim at the
478 prevention of problem gaming and which specify where patrons may
479 receive counseling or assistance for gambling problems. All
480 covered games employees shall also be screened by the Tribe for
481 compulsive gambling habits. Nothing in this subsection shall
482 create for patrons, or any other person, a cause of action or
483 claim against the state, the Tribe or the commission, or any
484 other person, entity, or agency for failing to identify a patron
485 or person who is a compulsive gambler or ask that person to
486 leave.

487 (e) The Tribe shall follow the rules for exclusion of
488 patrons set forth in the Seminole Tribal Gaming Code.

489 (f) The Tribe shall make diligent efforts to prevent
490 underage individuals from loitering in the area of each facility
491 where the covered games take place.

492 (g) The Tribe shall ensure that any advertising and
493 marketing of covered games at the facilities contains a
494 responsible gambling message and a toll-free help-line number
495 for problem gamblers, where practical, and that such advertising
496 and marketing make no false or misleading claims.

497 (5) The state may secure an annual independent audit of
498 the conduct of covered games subject to this compact, as set
499 forth in Part VIII.

500 (6) The facility shall visibly display summaries of the

501 rules for playing covered games and promotional contests and
502 shall make available complete sets of rules upon request. The
503 Tribe shall provide copies of all such rules to the state
504 compliance agency within 30 calendar days after issuance or
505 amendment.

506 (7) The Tribe shall provide the commission and state
507 compliance agency with a chart of the supervisory lines of
508 authority with respect to those directly responsible for the
509 conduct of covered games, and shall promptly notify those
510 agencies of any material changes to the chart.

511 (8) The Tribe shall continue to maintain proactive
512 approaches to prevent improper alcohol sales, drunk driving,
513 underage drinking, and underage gambling. These approaches shall
514 involve intensive staff training, screening and certification,
515 patron education, and the use of security personnel and
516 surveillance equipment in order to enhance patrons' enjoyment of
517 the facilities and provide for patron safety.

518 (a) Staff training includes specialized employee training
519 in nonviolent crisis intervention, driver license verification,
520 and detection of intoxication.

521 (b) Patron education shall be carried out through notices
522 transmitted on valet parking stubs, posted signs in the
523 facilities, and in brochures.

524 (c) Roving and fixed security officers, along with
525 surveillance cameras, shall assist in the detection of

526 intoxicated patrons, investigate problems, and engage with
527 patrons to deescalate volatile situations.

528 (d) To help prevent alcohol-related crashes, the Tribe
529 will continue to operate the "Safe Ride Home Program," a free
530 taxi service.

531 (e) The Tribe shall maintain these programs and policies
532 in its Alcohol Beverage Control Act for the duration of the
533 compact but may replace such programs and policies with stricter
534 or more extensive programs and policies. The Tribe shall provide
535 the state with written notice of any changes to the Alcohol
536 Beverage Control Act of the Tribe, which notice shall include a
537 copy of such changes and shall be sent on or before the
538 effective date of the change. Nothing in this subsection shall
539 create for patrons, or any other person, a cause of action or
540 claim against the state, the Tribe or the commission, or any
541 other person, entity, or agency for failing to fulfill the
542 requirements of this subsection.

543 (9) A person under 21 years of age may not play covered
544 games, unless otherwise permitted by state law.

545 (10) The Tribe may establish and operate facilities that
546 operate covered games only on its Indian lands as defined by the
547 Indian Gaming Regulatory Act and as specified in Part IV. The
548 play of games pursuant to this compact may only take place if
549 both the operation of the game and the person playing the game
550 are within a facility on the Tribe's Indian lands.

551 (11) The commission shall keep a record of, and shall
552 report at least quarterly to the state compliance agency, the
553 number of covered games in each facility, by the name or type of
554 each game and its identifying number.

555 (12) The Tribe and the commission shall make available, to
556 any member of the public upon request, within 10 business days,
557 a copy of the minimum internal control standards of the National
558 Indian Gaming Commission (25 C.F.R. part 542 (2015)), the
559 Seminole Tribal Gaming Code, this compact, the rules of each
560 covered game operated by the Tribe, and the administrative
561 procedures for addressing patron tort claims under Part VI.

562
563 PART VI
564

565 PATRON DISPUTES, WORKERS' COMPENSATION, TORT CLAIMS; PRIZE
566 CLAIMS; LIMITED CONSENT TO SUIT.—

567 (1) All patron disputes involving gaming shall be resolved
568 in accordance with the procedures established in the Seminole
569 Tribal Gaming Code.

570 (2) Tort claims by employees of the Tribe's facilities
571 will be handled pursuant to the provisions of the Workers'
572 Compensation Ordinance of the Tribe, which shall provide workers
573 the same or better protections as provided in state workers'
574 compensation laws.

575 (3) Disputes involving employees of the Tribe's facilities

576 will be handled pursuant to the provisions of the Tribe's policy
577 for gaming employees, as set forth in the Employee Fair
578 Treatment and Dispute Resolution Policy.

579 (4) A patron who claims to have been injured after the
580 effective date of the compact at one of the Tribe's facilities
581 in which covered games are played is required to provide written
582 notice to the Tribe's Risk Management Department or the
583 facility, in a reasonable and timely manner, but no longer than
584 3 years after the date of the incident giving rise to the
585 claimed injury, or the claim shall be forever barred.

586 (5) The Tribe shall have 30 days to respond to a claim
587 made by a patron. If the Tribe fails to respond within 30 days,
588 the patron may file suit against the Tribe. When the Tribe
589 responds to an incident alleged to have caused a patron's injury
590 or illness, the Tribe shall provide a claim form to the patron.
591 The form must include the address for the Risk Management
592 Department of the Tribe and provide notice of the Tribe's
593 administrative procedures for addressing patron tort claims,
594 including notice of the relevant deadlines that may bar such
595 claims if the Tribe's administrative procedures are not
596 followed. It is the patron's responsibility to complete the form
597 and forward the form to the Risk Management Department of the
598 Tribe within a reasonable period of time, and in a reasonable
599 and timely manner. Nothing herein shall interfere with any claim
600 a patron might have arising under the Federal Tort Claim Act.

601 (6) Upon receiving written notification of the claim, the
602 Risk Management Department of the Tribe shall forward the
603 notification to the Tribe's insurance carrier. The Tribe shall
604 use its best efforts to ensure that the insurance carrier
605 contacts the patron within a reasonable period of time after
606 receipt of the claim.

607 (7) The insurance carrier shall handle the claim to
608 conclusion. If the patron, Tribe, and insurance carrier are not
609 able to resolve the claim in good faith within 1 year after the
610 patron provided written notice to the Risk Management Department
611 or the facility of the Tribe, the patron may bring a tort claim
612 against the Tribe in any court of competent jurisdiction in the
613 county in which the incident alleged to have caused injury
614 occurred, as provided in this compact, and subject to a 4-year
615 statute of limitations, which shall begin to run from the date
616 of the incident of the injury alleged in the claim. A patron's
617 notice of injury to the Tribe pursuant to subsection (4) and the
618 fulfillment of the good faith attempt at resolution pursuant to
619 this part are conditions precedent to filing suit.

620 (8) For tort claims of patrons made pursuant to subsection
621 (4), the Tribe agrees to waive its tribal sovereign immunity to
622 the same extent as the state waives its sovereign immunity, as
623 specified in s. 768.28(1) and (5), Florida Statutes, as such
624 provision may be amended from time to time by the Legislature.
625 In no event shall the Tribe be deemed to have waived its tribal

626 immunity from suit beyond the limits set forth in s. 768.28(5),
627 Florida Statutes. These limitations are intended to include
628 liability for compensatory damages, costs, prejudgment interest,
629 and attorney fees if otherwise allowable under state law arising
630 out of any claim brought or asserted against the Tribe, its
631 subordinate governmental and economic units, any Tribal
632 officials, employees, servants, or agents in their official
633 capacities and any entity which is owned, directly or
634 indirectly, by the Tribe. All patron tort claims brought
635 pursuant to this provision shall be brought solely against the
636 Tribe, as the sole party in interest.

637 (9) Notices explaining the procedures and time limitations
638 with respect to making a tort claim shall be prominently
639 displayed in the facilities, posted on the Tribe's website, and
640 provided to any patron for whom the Tribe has notice of the
641 injury or property damage giving rise to the tort claim. Such
642 notices shall explain:

643 (a) The method and places for making a tort claim,
644 including where the patron must submit the claim.

645 (b) That the process is the exclusive method for asserting
646 a tort claim arising under this section against the Tribe.

647 (c) That the Tribe and its insurance carrier have one year
648 from the date the patron gives notice of the claim to resolve
649 the matter, and that after that time, the patron may file suit
650 in a court of competent jurisdiction.

651 (d) That the exhaustion of the process is a prerequisite
652 to filing a claim in state court.

653 (e) That claims that fail to follow this process shall be
654 forever barred.

655 (10) The Tribe shall maintain an insurance policy that
656 shall:

657 (a) Prohibit the insurer or the Tribe from invoking tribal
658 sovereign immunity for claims up to the limits to which the
659 state has waived sovereign immunity as set forth in s.
660 768.28(5), Florida Statutes, or its successor statute.

661 (b) Include covered claims made by a patron or invitee for
662 personal injury or property damage.

663 (c) Permit the insurer or the Tribe to assert any
664 statutory or common law defense other than sovereign immunity.

665 (d) Provide that any award or judgment rendered in favor
666 of a patron or invitee shall be satisfied solely from insurance
667 proceeds.

668 (11) The Tribal Council of the Seminole Tribe of Florida
669 may, in its discretion, consider claims for compensation in
670 excess of the limits of the Tribe's waiver of its sovereign
671 immunity.

672
673 PART VII

674
675 ENFORCEMENT OF COMPACT PROVISIONS.—

676 (1) The Tribe, the commission, and the state compliance
677 agency, to the extent authorized by this compact, shall be
678 responsible for regulating activities pursuant to this compact.
679 As part of its responsibilities, the Tribe shall adopt or issue
680 standards designed to ensure that the facilities are
681 constructed, operated, and maintained in a manner that
682 adequately protects the environment and public health and
683 safety. Additionally, the Tribe and the commission shall ensure
684 that:

685 (a) Operation of the conduct of covered games is in strict
686 compliance with:

- 687 1. The Seminole Tribal Gaming Code.
688 2. All rules, regulations, procedures, specifications, and
689 standards lawfully adopted by the National Indian Gaming
690 Commission and the commission.
691 3. The provisions of this compact, including, but not
692 limited to, the Tribe's standards and rules.

693 (b) Reasonable measures are taken to:

- 694 1. Ensure the physical safety of facility patrons,
695 employees, and any other person while in the facility.
696 2. Prevent illegal activity at the facilities or with
697 regard to the operation of covered games, including, but not
698 limited to, the maintenance of employee procedures and a
699 surveillance system.
700 3. Ensure prompt notification is given, in accordance with

701 applicable law, to appropriate law enforcement authorities of
702 persons who may be involved in illegal acts.

703 4. Ensure that the construction and maintenance of the
704 facilities complies with the standards of the Florida Building
705 Code, the provisions of which the Tribe has adopted as the
706 Seminole Tribal Building Code.

707 5. Ensure adequate emergency access plans have been
708 prepared to ensure the health and safety of all covered game
709 patrons.

710 (2) All licenses for members and employees of the
711 commission shall be issued according to the same standards and
712 terms applicable to facility employees. The commission's
713 officers shall be independent of the Tribal gaming operations,
714 and shall be supervised by and accountable only to the
715 commission. A commission officer shall be available to the
716 facility during all hours of operation upon reasonable notice,
717 and shall have immediate access to any and all areas of the
718 facility for the purpose of ensuring compliance with the
719 provisions of this compact. The commission shall investigate any
720 suspected or reported violation of this part and shall
721 officially enter into its files timely written reports of
722 investigations and any action taken thereon, and shall forward
723 copies of such investigative reports to the state compliance
724 agency within 30 calendar days after such filing. The scope of
725 such reporting shall be determined by the commission and the

726 state compliance agency as soon as practicable after the
727 effective date of this compact. Any such violations shall be
728 reported immediately to the commission, and the commission shall
729 immediately forward such reports to the state compliance agency.
730 In addition, the commission shall promptly report to the state
731 compliance agency any such violations which it independently
732 discovers.

733 (3) In order to develop and foster a positive and
734 effective relationship in the enforcement of the provisions of
735 this compact, representatives of the commission and the state
736 compliance agency shall meet at least annually to review past
737 practices and examine methods to improve the regulatory scheme
738 created by this compact. The meetings shall take place at a
739 location mutually agreed upon by the commission and the state
740 compliance agency. The state compliance agency, before or during
741 such meetings, shall disclose to the commission any concerns,
742 suspected activities, or pending matters reasonably believed to
743 constitute violations of the compact by any person,
744 organization, or entity, if such disclosure will not compromise
745 the interest sought to be protected.

746
747 PART VIII

748
749 STATE MONITORING OF COMPACT.—

750 (1) It is the express intent of the Tribe and the state

751 for the Tribe to regulate its own gaming activities.
752 Notwithstanding, the state shall conduct random inspections as
753 provided for in this part to ensure that the Tribe is operating
754 in accordance with the terms of the compact. The state may
755 secure an annual independent audit of the conduct of covered
756 games subject to this compact and the Tribe shall cooperate with
757 such audit. The audit shall:

758 (a) Examine the covered games operated by the Tribe to
759 ensure compliance with the Internal Control Policies and
760 Procedures of the Tribe and any other standards, policies, or
761 procedures adopted by the Tribe, the commission, or the National
762 Indian Gaming Commission which govern the play of covered games.

763 (b) Examine revenues in connection with the conduct of
764 covered games and include only those matters necessary to verify
765 the determination of net win and the basis and amount of the
766 payments the Tribe is required to make to the state pursuant to
767 Part XI and as defined by this compact.

768 (2) A copy of the audit report for the conduct of covered
769 games shall be submitted to the commission and the state
770 compliance agency within 30 calendar days after completion.
771 Representatives of the state compliance agency may, upon
772 request, meet with the Tribe and its auditors to discuss the
773 audit or any matters in connection therewith; provided that such
774 discussions are limited to covered games information. The annual
775 independent audit shall be performed by an independent firm

776 selected by the state which has experience in auditing casino
777 operations, subject to the consent of the Tribe, which shall not
778 be unreasonably withheld. The Tribe shall pay for the cost of
779 the annual independent audit.

780 (3) As provided herein, the state compliance agency may
781 monitor the conduct of covered games to ensure that the covered
782 games are conducted in compliance with the provisions of this
783 compact. In order to properly monitor the conduct of covered
784 games, agents of the state compliance agency shall have
785 reasonable access, without prior notice, to all public areas of
786 the facilities related to the conduct of covered games.

787 (a) The state compliance agency may review whether the
788 Tribe's facilities are in compliance with the provisions of this
789 compact and the Tribe's rules and regulations applicable to
790 covered games and may advise on such issues as it deems
791 appropriate. In the event of a dispute or disagreement between
792 Tribal and state compliance agency regulators, the dispute or
793 disagreement shall be resolved in accordance with the dispute
794 resolution provisions of Part XIII.

795 (b) In order to fulfill its oversight responsibilities,
796 the state compliance agency may perform on a routine basis
797 specific oversight testing procedures as set forth in paragraph
798 (c).

799 (c)1. The state compliance agency may inspect any covered
800 games in operation at the facilities on a random basis, provided

801 that such inspections may not exceed one inspection per facility
802 per calendar month and the inspection may not exceed ten hours
803 spread over those two consecutive days, unless the state
804 compliance agency determines that additional inspection hours
805 are needed to address the issues of substantial noncompliance,
806 provided that the state compliance agency provides the Tribe
807 with written notification of the need for additional inspection
808 hours and a written summary of the substantial noncompliance
809 issues that need to be addressed during the additional
810 inspection hours. The total number of hours of random
811 inspections and audit reviews per year may not exceed 1,200
812 hours. Inspection hours shall be calculated on the basis of the
813 actual amount of time spent by the state compliance agency
814 conducting the inspections at a facility, without accounting for
815 a multiple for the number of state compliance agency inspectors
816 or agents engaged in the inspection activities. The purpose of
817 the random inspections is to confirm that the covered games
818 function properly pursuant to the manufacturer's technical
819 standards and are conducted in compliance with the Tribe's
820 Internal Control Policies and Procedures and any other
821 standards, policies, or procedures adopted by the Tribe, the
822 commission, or the National Indian Gaming Commission which
823 govern the play of covered games. The state compliance agency
824 shall provide notice to the commission of such inspection at or
825 before the commencement of a random inspection and a commission

826 agent may accompany the inspection.

827 2. For each facility, the state compliance agency may
828 perform one annual review of the Tribe's slot machine compliance
829 audit.

830 3. At least annually, the state compliance agency may meet
831 with the Internal Audit Department for Gaming of the Tribe to
832 review internal controls and the record of violations for each
833 facility.

834 (d) The state compliance agency shall cooperate with and
835 obtain the assistance of the commission in the resolution of any
836 conflicts in the management of the facilities, and the state and
837 the Tribe shall make their best efforts to resolve disputes
838 through negotiation whenever possible. Therefore, to foster a
839 spirit of cooperation and efficiency, the state compliance
840 agency and Tribe shall resolve disputes between the state
841 compliance agency staff and commission regulators about the day-
842 to-day regulation of the facilities through meeting and
843 conferring in good faith. Notwithstanding, the parties may seek
844 other relief that may be available when circumstances require
845 such relief. In the event of a dispute or disagreement between
846 tribal and state compliance agency regulators, the dispute or
847 disagreement shall be resolved in accordance with the dispute
848 resolution provisions of Part XIII.

849 (e) The state compliance agency shall have access to each
850 facility during the facility's operating hours only. No advance

851 notice is required when the state compliance agency inspection
852 is limited to public areas of the facility; however,
853 representatives of the state compliance agency shall provide
854 notice and photographic identification to the commission of
855 their presence before beginning any such inspections.

856 (f) The state compliance agency agents, to ensure that a
857 commission officer is available to accompany the state
858 compliance agency agents at all times, shall provide one hour
859 notice and photographic identification to the commission before
860 entering any nonpublic area of a facility. Agents of the state
861 compliance agency shall be accompanied in nonpublic areas of the
862 facility by a commission officer.

863 (g) Any suspected or claimed violations of this compact or
864 law shall be directed in writing to the commission. The state
865 compliance agency, in conducting the functions assigned them
866 under this compact, shall not unreasonably interfere with the
867 functioning of any facility.

868 (4) Subject to the provisions herein, the state compliance
869 agency may review and request copies of documents of the
870 facility related to its conduct of covered games during normal
871 business hours unless otherwise allowed by the Tribe. The Tribe
872 may not refuse said inspection and copying of such documents,
873 provided that the inspectors do not require copies of documents
874 in such volume that it unreasonably interferes with the normal
875 functioning of the facilities or covered games. To the extent

876 that the Tribe provides the state with information that the
877 Tribe claims to be confidential and proprietary, or a trade
878 secret, the Tribe shall clearly mark such information with the
879 following designation: "Trade Secret, Confidential, and
880 Proprietary." If the state receives a request under chapter 119
881 that would include such designated information, the state shall
882 promptly notify the Tribe of such a request and the Tribe shall
883 promptly notify the state about its intent to seek judicial
884 protection from disclosure. Upon such notice from the Tribe, the
885 state may not release the requested information until a judicial
886 determination is made. This designation and notification
887 procedure does not excuse the state from complying with the
888 requirements of the state's public records law, but is intended
889 to provide the Tribe the opportunity to seek whatever judicial
890 remedy it deems appropriate. Notwithstanding the foregoing
891 procedure, the state compliance agency may provide copies of
892 tribal documents to federal law enforcement and other state
893 agencies or state consultants that the state deems reasonably
894 necessary in order to conduct or complete any investigation of
895 suspected criminal activity in connection with the Tribe's
896 covered games or the operation of the facilities or in order to
897 assure the Tribe's compliance with this compact.

898 (5) At the completion of any state compliance agency
899 inspection or investigation, the state compliance agency shall
900 forward any written report thereof to the commission, containing

901 all pertinent, nonconfidential, nonproprietary information
902 regarding any violation of applicable laws or this compact which
903 was discovered during the inspection or investigation unless
904 disclosure thereof would adversely impact an investigation of
905 suspected criminal activity. Nothing herein prevents the state
906 compliance agency from contacting tribal or federal law
907 enforcement authorities for suspected criminal wrongdoing
908 involving the commission.

909 (6) Except as expressly provided in this compact, nothing
910 in this compact shall be deemed to authorize the state to
911 regulate the Tribe's government, including the commission, or to
912 interfere in any way with the Tribe's selection of its
913 governmental officers, including members of the commission.

914
915 PART IX
916

917 JURISDICTION.—The obligations and rights of the state and
918 the Tribe under this compact are contractual in nature and are
919 to be construed in accordance with the laws of the state. This
920 compact does not alter tribal, federal, or state civil
921 adjudicatory or criminal jurisdiction in any way.

922
923 PART X
924

925 LICENSING.—The Tribe and the commission shall comply with

926 the licensing and hearing requirements set forth in 25 C.F.R.
927 parts 556 and 558, as well as the applicable licensing and
928 hearing requirements set forth in Articles IV, V, and VI of the
929 Seminole Tribal Gaming Code. The commission shall notify the
930 state compliance agency of any disciplinary hearings or
931 revocation or suspension of licenses.

932
933 PART XI

934
935 PAYMENTS TO THE STATE OF FLORIDA.—

936 (1) The parties acknowledge and recognize that this
937 compact enhances and expands the Tribe's partial but substantial
938 exclusivity and provides other valuable consideration consistent
939 with the goals of the Indian Gaming Regulatory Act, including
940 special opportunities for tribal economic development through
941 gaming within the external boundaries of the state with respect
942 to the play of covered games. In consideration thereof, the
943 Tribe covenants and agrees, subject to the conditions agreed
944 upon in Part XII, to make payments to the state derived from net
945 win as set forth in subsections (2) and (7). The Tribe further
946 agrees that it will not purchase or lease any new Class II video
947 bingo terminals or their equivalents for use at its facilities
948 after the effective date of this compact.

949 (2) The Tribe shall make periodic revenue share payments
950 to the state derived from net win as set forth in this

951 subsection, and any such payments shall be made to the state via
952 electronic funds transfer. Of the amounts paid by the Tribe to
953 the state, 3 percent shall be distributed to local governments,
954 including both counties and municipalities, in the state
955 affected by the Tribe's operation of covered games. Of the
956 remaining amounts paid by the Tribe to the state, an amount
957 equal to that necessary to fully fund, including administrative
958 costs, the Pari-mutuel Site Redevelopment Trust Fund must be set
959 aside for that purpose. If the Legislature fails to allocate the
960 amounts to the specified fund set forth in this subsection, all
961 further payments due to the state pursuant to subsections (2)
962 and (7) shall cease, until such time as such allocations are
963 made, or the fund is eliminated by the Legislature upon the
964 conclusion of the programs funded by the Pari-mutuel Site
965 Redevelopment Trust Fund, in which event the payments shall
966 resume. Payments shall be due in accordance with the payment
967 schedule set forth below:

968 (a) During the guarantee payment period, the Tribe agrees
969 to make a fixed payment of \$750 million a year. In addition,
970 within 90 days after the end of each revenue sharing cycle the
971 Tribe shall make an additional payment to the state equal to the
972 difference between the amount paid by the Tribe under this
973 paragraph and the amount that would have been owed by the Tribe
974 to the state had the percentages set forth in paragraph (b) been
975 applicable during the guarantee payment period.

976 (b) During the regular payment period, the Tribe agrees to
977 pay a revenue share payment, for each revenue sharing cycle, to
978 the state equal to the amount calculated in accordance with this
979 paragraph.

980 1. Twenty-five percent of all amounts up to \$2 billion of
981 net win received by the Tribe from the operation and play of
982 covered games during each revenue sharing cycle;

983 2. Thirty-one percent of all amounts greater than \$2
984 billion up to and including \$3 billion of net win received by
985 the Tribe from the operation and play of covered games during
986 each revenue sharing cycle;

987 3. Thirty-six percent of all amounts greater than \$3
988 billion up to and including \$4 billion of net win received by
989 the Tribe from the operation and play of covered games during
990 each revenue sharing cycle;

991 4. Forty percent of all amounts greater than \$4 billion up
992 to and including \$4.5 billion of net win received by the Tribe
993 from the operation and play of covered games during each revenue
994 sharing cycle; or

995 5. Forty-five percent of all amounts greater than \$4.5
996 billion of net win received by the Tribe from the operation and
997 play of covered games during each revenue sharing cycle.

998 (3) The Tribe shall remit monthly payments as follows:

999 (a) On or before the 15th day of the month following each
1000 month of the revenue sharing cycle, the Tribe will remit to the

1001 state or its assignee the monthly payment. For purposes of this
1002 section, the monthly payment shall be 8.3 percent of the
1003 estimated revenue share payment to be paid by the Tribe during
1004 such revenue sharing cycle.

1005 (b) The Tribe shall make available to the state at the
1006 time of the monthly payment the basis for the calculation of the
1007 payment.

1008 (c) The Tribe shall, on a monthly basis, reconcile the
1009 calculation of the estimated revenue share payment based on the
1010 Tribe's unaudited financial statements related to covered games.

1011 (4) The Tribe shall have an audit conducted as follows:

1012 (a) On or before the 45th day after the 3rd month, 6th
1013 month, 9th month, and 12th month of each revenue sharing cycle,
1014 provided that the 12-month period does not coincide with the
1015 Tribe's fiscal year end date as indicated in paragraph (c), the
1016 Tribe shall provide the state with an audit report by its
1017 independent auditors as to the annual revenue share calculation.

1018 (b) For each quarter within revenue sharing cycle, the
1019 Tribe shall engage its independent auditors to conduct a review
1020 of the unaudited net revenue from covered games. On or before
1021 the 120th day after the end of the Tribe's fiscal year, the
1022 Tribe shall require its independent auditors to provide an audit
1023 report with respect to net win for covered games and the related
1024 payment of the annual revenue share.

1025 (c) If the 12th month of the revenue sharing cycle does

1026 not coincide with the Tribe's fiscal year, the Tribe shall
1027 deduct net win from covered games for any of the months outside
1028 of the revenue sharing cycle and include net win from covered
1029 games for those months outside of the Tribe's audit period but
1030 within the revenue sharing cycle, before issuing the audit
1031 report.

1032 (d) No later than 30 calendar days after the day the audit
1033 report is issued, the Tribe shall remit to the state any
1034 underpayment of the annual revenue share, and the state shall
1035 either reimburse to the Tribe any overpayment of the annual
1036 revenue share or authorize the overpayment to be deducted from
1037 the next successive monthly payment or payments.

1038 (5) If, after any change in state law to affirmatively
1039 allow internet or online gaming, or any functionally equivalent
1040 remote gaming system that permits a person to play from home or
1041 any other location that is remote from a casino or other
1042 commercial gaming facility, the Tribe's net win from the
1043 operation of covered games at all of its facilities combined
1044 drops more than 5 percent below its net win from the previous
1045 12-month period, the Tribe shall no longer be required to make
1046 payments to the state based on the guaranteed minimum compact
1047 term payment and shall not be required to make the guaranteed
1048 minimum compact term payment. However, the Tribe shall continue
1049 to make payments based on the percentage revenue share amount.
1050 The Tribe shall resume making the guaranteed minimum compact

1051 term payment for any subsequent revenue sharing cycle in which
1052 its net win rises above the level described in this subsection.

1053 This subsection does not apply if:

1054 (a) The decline in net win is due to acts of God, war,
1055 terrorism, fires, floods, or accidents causing damage to or
1056 destruction of one or more of its facilities or property
1057 necessary to operate the facility of facilities; or

1058 (b) The Tribe offers internet or online gaming or any
1059 functionally equivalent remote gaming system that permits a
1060 person to game from home or any other location that is remote
1061 from any of the Tribe's facilities, as authorized by law.

1062 (6) The annual oversight assessment, which shall not
1063 exceed \$250,000 per year, indexed for inflation as determined by
1064 the Consumer Price Index, shall be determined and paid in
1065 quarterly installments within 30 calendar days after receipt by
1066 the Tribe of an invoice from the state compliance agency. The
1067 Tribe reserves the right to audit the invoices on an annual
1068 basis, a copy of which will be provided to the state compliance
1069 agency, and any discrepancies found therein shall be reconciled
1070 within 45 calendar days after receipt of the audit by the state
1071 compliance agency.

1072 (7) The Tribe shall make an annual donation to the Florida
1073 Council on Compulsive Gaming as an assignee of the state in an
1074 amount not less than \$250,000 per facility.

1075 (8) On the effective date of this compact, any moneys

1076 remitted by the Tribe before the effective date of this compact
 1077 shall be released to the state without further obligation or
 1078 encumbrance.

1079 (9) Except as expressly provided in this part, nothing in
 1080 this compact shall be deemed to require the Tribe to make
 1081 payments of any kind to the state or any of its agencies.

1082
 1083 PART XII
 1084

1085 REDUCTION OF TRIBAL PAYMENTS BECAUSE OF LOSS OF EXCLUSIVITY
 1086 OR OTHER CHANGES IN STATE LAW.—The intent of this compact is to
 1087 provide the Tribe with the right to operate covered games on an
 1088 exclusive basis throughout the state, subject to the exceptions
 1089 and provisions in this part.

1090 (1) For purposes of this subsection, the terms "Class III
 1091 gaming" or "other casino-style gaming" include, but are not
 1092 limited to, slot machines, electronically assisted bingo or
 1093 electronically assisted pull-tab games, noncard table games,
 1094 video lottery terminals, or any similar games, whether or not
 1095 such games are determined through the use of a random number
 1096 generator.

1097 (a) If, after July 1, 2020, state law is amended,
 1098 implemented, or interpreted to allow the operation of Class III
 1099 gaming or other casino-style gaming, or pari-mutuel wagering, at
 1100 any location under the jurisdiction of the state that was not in

1101 operation as of July 1, 2020, or a new form of Class III gaming
1102 or other casino-style gaming that was not in operation as of
1103 July 1, 2020, and such gaming is offered to the public as a
1104 result of the amendment, implementation, or interpretation, the
1105 Tribe, no fewer than 30 days after the commencement of such new
1106 gaming or 90 days after the state's receipt of written notice
1107 from the Tribe pursuant to subsection (b), whichever occurs
1108 later, may elect to begin making the affected portion of its
1109 payments due to the state pursuant to subsections (2) and (7) of
1110 Part XI, into an escrow account.

1111 (b) In order to exercise the provisions of paragraph (a),
1112 the Tribe must first notify the state, within 90 days after such
1113 amendment, implementation, or interpretation of state law, of
1114 the Tribe's objections to such action or interpretation and
1115 further specify the basis for the Tribe's contention that such
1116 action or interpretation infringes upon the substantial
1117 exclusivity afforded under this compact. As part of its written
1118 notice, the Tribe must also indicate, if applicable, its
1119 intention to begin making the affected portion of its payments
1120 due to the state into an escrow account.

1121 (c) Upon receipt of written notice from the Tribe, the
1122 state may elect to:

1123 1. Invoke the dispute resolution provisions of Part XIII
1124 to determine whether the Tribe's contention is well-founded. In
1125 such proceeding, the Tribe carries the burden of proof and

1126 persuasion. The pendency of such proceeding tolls the time
1127 periods set forth in paragraph (1)(a) of Part XI for the
1128 duration of the dispute or litigation; or

1129 2. Seek through enforcement action, legislation, or other
1130 means to stop the conduct of such new games.

1131 (d)1. If, within 15 months following the state's receipt
1132 of written notice from the Tribe, the Tribe's contention is
1133 deemed not to be well-founded at the conclusion of dispute
1134 resolution or new gaming is made illegal and is halted, then all
1135 funds being held in the escrow account shall be released to the
1136 state and all further payments due to the state pursuant to
1137 subsections (2) and (7) of Part XI shall promptly resume.

1138 2. If, after 15 months following the state's receipt of
1139 written notice from the Tribe, the Tribe's contention is deemed
1140 to be well-founded at the conclusion of dispute resolution and
1141 such gaming is not made illegal and halted, then all funds being
1142 held in escrow shall be returned to the Tribe and all further
1143 payments due to the state pursuant to subsections (2) and (7) of
1144 Part XI shall cease or be reduced as provided in subsection (2)
1145 until such gaming is no longer operated, in which event the
1146 payments shall promptly resume.

1147 (2) The following are exceptions to the exclusivity
1148 provisions of subsection (1):

1149 (a) Any Class III gaming authorized by a compact between
1150 the state and any other federally recognized tribe pursuant to

1151 Indian Gaming Regulatory Act, provided that the tribe has land
1152 in federal trust in the state as of July 1, 2020.

1153 (b) The operation of slot machines, which does not include
1154 any game played with tangible playing cards, at each of the four
1155 currently operating licensed pari-mutuel facilities in Broward
1156 County and the four currently operating licensed pari-mutuel
1157 facilities in Miami-Dade County, whether or not currently
1158 operating slot machines, provided that such licenses are not
1159 transferred or otherwise used to move or operate such slot
1160 machines at any other location.

1161 (c)1. If state law is amended to allow for the play of any
1162 additional type of Class III or other casino-style gaming at any
1163 of the presently operating licensed pari-mutuel facilities in
1164 Broward and Miami-Dade Counties, the Tribe may be entitled to a
1165 reduction in the revenue sharing payment as described in
1166 subparagraph 2.

1167 2. If the Tribe's annual net win from its facilities
1168 located in Broward County for the 12-month period after the
1169 gaming specified in subparagraph 1. begins to be offered for
1170 public or private use is less than the net revenue base, the
1171 revenue share payments due to the state, pursuant to paragraph
1172 (2) (b) of Part XI, for the next revenue sharing cycle and future
1173 revenue sharing cycles shall be calculated by reducing the
1174 Tribe's payment on revenue generated from its facilities in
1175 Broward County by 50 percent of that reduction in annual net win

1176 from its facilities in Broward County. This paragraph does not
1177 apply if the decline in net win is due to acts of God, war,
1178 terrorism, fires, floods, or accidents causing damage to or
1179 destruction of one or more of its facilities or property
1180 necessary to operate the facility or facilities.

1181 3. If the Tribe's annual net win from its facilities
1182 located in Broward County subsequently equals or exceeds the net
1183 revenue base, then the Tribe's payments due to the state
1184 pursuant to paragraph (2) (b) of Part XI shall again be
1185 calculated without any reduction, but may be reduced again under
1186 the provisions set forth in subparagraph 2.

1187 (d) If state law is amended to allow the play of Class III
1188 gaming or other casino-style gaming, as defined in this part, at
1189 any location in Miami-Dade County or Broward County under the
1190 jurisdiction of the state that is not presently licensed for the
1191 play of such games at such locations, other than those
1192 facilities set forth in paragraph (c) and this paragraph, and
1193 such games were not in play as of July 1, 2020, and such gaming
1194 begins to be offered for public or private use, the payments due
1195 the state pursuant to subparagraph (c)2., shall be calculated by
1196 excluding the net win from the Tribe's facilities in Broward
1197 County.

1198 (e) The operation of pari-mutuel wagering activities at
1199 pari-mutuel facilities licensed by the state, provided such
1200 facilities annually conduct a full schedule of live races or

1201 games in a manner that would comply with the Florida Statutes in
1202 effect as of July 1, 2020.

1203 (f) The operation of poker, including no-limit poker but
1204 excluding any house or player banked game or player-designated
1205 game, at card rooms licensed by the state; provided all such
1206 card rooms are located at pari-mutuel facilities that annually
1207 conduct a certain number of live performances in a manner that
1208 would comply with cardroom license renewal requirements set
1209 forth in the Florida Statutes in effect as of February 1, 2017.

1210 (g) The operation by the Department of the Lottery of
1211 those types of lottery games being offered to the public as of
1212 January 1, 2020, and authorized under chapter 24 as of the
1213 effective date of this compact, but not including, any player-
1214 activated or operated machine or device other than a lottery
1215 vending machine or any banked or banking card or table game.
1216 However, not more than ten lottery vending machines may be
1217 installed at any facility or location and no lottery vending
1218 machine that dispenses electronic instant tickets may be
1219 installed at any licensed pari-mutuel facility.

1220 (h) The operation of games authorized by chapter 849 as of
1221 July 1, 2020, which does not authorize any card game in which
1222 any person, operator, or other party serves as a bank, paying
1223 all winners and collecting from all losers.

1224 (3) To the extent that the exclusivity provisions of this
1225 part are breached or otherwise violated and the Tribe's ongoing

1226 payment obligations to the state pursuant to subsections (2) and
1227 (7) of Part XI cease, any outstanding payments that would have
1228 been due the state from the Tribe's facilities before the breach
1229 or violation shall be made within 30 business days after the
1230 breach or violation.

1231 (4) The breach of this part's exclusivity provisions and
1232 the cessation of payments pursuant to subsections (2) and (7) of
1233 Part XI shall not excuse the Tribe from continuing to comply
1234 with all other provisions of this compact, including continuing
1235 to pay the state the annual oversight assessment as set forth in
1236 subsection (3) of Part XI.

1237
1238 PART XIII
1239

1240 DISPUTE RESOLUTION.—In the event that the Tribe or State
1241 believes that the other party has failed to comply with any
1242 requirements of this compact, or in the event of any dispute
1243 hereunder, including, but not limited to, a dispute over the
1244 proper interpretation of the terms and conditions of this
1245 compact, the goal of the parties is to resolve all disputes
1246 amicably and voluntarily whenever possible. In pursuit of this
1247 goal, the following procedures may be invoked:

1248 (1) A party asserting noncompliance or seeking an
1249 interpretation of this compact first shall serve written notice
1250 on the other party. The notice shall identify the specific

1251 compact provision alleged to have been violated or in dispute
1252 and shall specify in detail the asserting party's contention and
1253 any factual basis for the claim. Representatives of the Tribe
1254 and state shall meet within 30 calendar days after receipt of
1255 notice in an effort to resolve the dispute, unless they mutually
1256 agree to extend this period.

1257 (2) A party asserting noncompliance or seeking an
1258 interpretation of this compact under this part shall be deemed
1259 to have certified that to the best of the party's knowledge,
1260 information, and belief formed after reasonable inquiry, the
1261 claim of noncompliance or the request for interpretation of this
1262 compact is warranted and made in good faith and not for any
1263 improper purpose, such as to harass or to cause unnecessary
1264 delay or the needless incurring of the cost of resolving the
1265 dispute.

1266 (3) If the parties are unable to resolve a dispute through
1267 the process specified in subsections (1) and (2), either party
1268 may call for mediation under the Commercial Mediation Procedures
1269 of the American Arbitration Association or any successor
1270 procedures, provided that such mediation does not last more than
1271 60 calendar days, unless an extension to this time limit is
1272 negotiated by the parties. Only matters arising under the terms
1273 of this compact may be available for resolution through
1274 mediation. If the parties are unable to resolve a dispute
1275 through the process specified in this part, notwithstanding any

1276 other provision of law, either party may bring an action in a
1277 United States District Court having venue regarding a dispute
1278 arising under this compact. If the court declines to exercise
1279 jurisdiction, or federal precedent exists that holds that the
1280 court would not have jurisdiction over such a dispute, either
1281 party may bring the action in the appropriate court of the
1282 Seventeenth Judicial Circuit in Broward County, Florida. The
1283 parties are entitled to all rights of appeal permitted by law in
1284 the court system in which the action is brought.

1285 (4) For purposes of actions based on disputes between the
1286 state and the Tribe that arise under this compact and the
1287 enforcement of any judgment resulting from such action, the
1288 Tribe and the state each expressly waive the right to assert
1289 sovereign immunity from suit and from enforcement of any ensuing
1290 judgment, and further consent to be sued in federal or state
1291 court, including the right of appeal specified above, as the
1292 case may be, provided that:

1293 (a) The dispute is limited solely to issues arising under
1294 this compact.

1295 (b) There is no claim for monetary damages, except that
1296 payment of any money required by the terms of this compact, as
1297 well as injunctive relief or specific performance enforcing a
1298 provision of this compact requiring the payment of money to the
1299 state may be sought.

1300 (c) Nothing herein shall be construed to constitute a

1301 waiver of the sovereign immunity of the Tribe with respect to
1302 any third party that is made a party or intervenes as a party to
1303 the action. In the event that intervention, joinder, or other
1304 participation by any additional party in any action between the
1305 state and the Tribe would result in the waiver of the Tribe's
1306 sovereign immunity as to that additional party, the waiver of
1307 the Tribe may be revoked.

1308 (5) The state may not be precluded from pursuing any
1309 mediation or judicial remedy against the Tribe on the grounds
1310 that the state has failed to exhaust its Tribal administrative
1311 remedies.

1312 (6) Notwithstanding any other provision of this part, any
1313 failure of the Tribe to remit the payments pursuant to the terms
1314 of Part XI entitles the state to seek injunctive relief in
1315 federal or state court, at the state's election, to compel the
1316 payments after the dispute resolution process in subsections (1)
1317 and (2) is exhausted.

1318
1319 PART XIV

1320
1321 CONSTRUCTION OF COMPACT; SEVERANCE; FEDERAL APPROVAL.—

1322 (1) Each provision of this compact shall stand separate
1323 and independent of every other provision. In the event that a
1324 federal district court in Florida or other court of competent
1325 jurisdiction shall find any provision of this compact to be

1326 invalid, the remaining provisions shall remain in full force and
1327 effect, provided that severing the invalidated provision does
1328 not undermine the overall intent of the parties in entering into
1329 this compact. However, if subsection (6) of Part III, Part XI,
1330 or Part XII is held by a court of competent jurisdiction to be
1331 invalid, this compact will become null and void.

1332 (2) It is understood that Part XII, which provides for a
1333 cessation of the payments to the state under Part XI, does not
1334 create any duty on the state but only a remedy for the Tribe if
1335 gaming under state jurisdiction is expanded.

1336 (3) This compact is intended to meet the requirements of
1337 the Indian Gaming Regulatory Act as it reads on the effective
1338 date of this compact, and where reference is made to the Indian
1339 Gaming Regulatory Act, or to an implementing regulation thereof,
1340 the reference is deemed to have been incorporated into this
1341 document. Subsequent changes to the Indian Gaming Regulatory Act
1342 that diminish the rights of the state or Tribe may not be
1343 applied retroactively to alter the terms of this compact, except
1344 to the extent that federal law validly mandates that retroactive
1345 application without the respective consent of the state or the
1346 Tribe. In the event that a subsequent change in the Indian
1347 Gaming Regulatory Act, or to an implementing regulation thereof,
1348 mandates retroactive application without the respective consent
1349 of the state or the Tribe, the parties agree that this compact
1350 is voidable by either party if the subsequent change materially

1351 alters the provisions in the compact relating to the play of
1352 covered games, revenue sharing payments, suspension or reduction
1353 of payments, or exclusivity.

1354 (4) Neither the presence of language that is not included
1355 in this compact, nor the absence in this compact of language
1356 that is present in another state-tribal compact shall be a
1357 factor in construing the terms of this compact.

1358 (5) The Tribe and the state shall defend the validity of
1359 this compact.

1360 (6) The parties shall cooperate in seeking approval of
1361 this compact from the Secretary of the Department of the
1362 Interior.

1363

1364 PART XV

1365

1366 NOTICES.—All notices required under this compact shall be
1367 given by certified mail, return receipt requested, commercial
1368 overnight courier service, or personal delivery, to the
1369 Governor, the President of the Senate, the Speaker of the House
1370 of Representatives, and the Chairman and General Counsel of the
1371 Seminole Tribe of Florida.

1372

1373 PART XVI

1374

1375 EFFECTIVE DATE AND TERM.—

1401 to the compact that alters the provisions relating to covered
1402 games, the amount of revenue sharing payments, suspension or
1403 reduction in payments, or exclusivity.

1404 (3) Changes in the provisions of tribal ordinances,
1405 regulations, and procedures referenced in this compact may be
1406 made by the Tribe with 30 days' advance notice to the state. If
1407 the state has an objection to any change to the tribal
1408 ordinance, regulation, or procedure which is the subject of the
1409 notice on the ground that its adoption would be a violation of
1410 the Tribe's obligations under this compact, the state may invoke
1411 the dispute resolution provisions provided in Part XIII.

1412
1413 PART XVIII

1414
1415 MISCELLANEOUS.—

1416 (1) Except to the extent expressly provided in this
1417 compact, this compact is not intended to, and shall not be
1418 construed to, create any right on the part of a third party to
1419 bring an action to enforce any of its terms.

1420 (2) If, after the effective date of this compact, the
1421 state enters into a compact with any other Tribe that contains
1422 more favorable terms with respect to the provisions of this
1423 Compact and the Secretary of the Department of the Interior
1424 approves such compact, either by publication of the notice of
1425 approval in the Federal Register or by operation of law under 25

1426 U.S.C. s. 2710(d)(8), upon tribal notice to the state and the
1427 Secretary, this compact shall be deemed amended to contain the
1428 more favorable terms, unless the state objects to the change and
1429 can demonstrate, in a proceeding commenced under Part XIII, that
1430 the terms in question are not more favorable.

1431 (3) Upon the occurrence of certain events beyond the
1432 Tribe's control, including acts of God, war, terrorism, fires,
1433 floods, or accidents causing damage to or destruction of one or
1434 more of its facilities or property necessary to operate the
1435 facility or facilities, the Tribe's obligation to pay the
1436 guaranteed minimum compact term payment described in Part XI
1437 shall be reduced pro rata to reflect the percentage of the total
1438 net win lost to the Tribe from the impacted facility or
1439 facilities and the net win specified under subsection (2) of
1440 Part XII for purposes of determining whether the Tribe's
1441 payments described in Part XI shall cease, shall be reduced pro
1442 rata to reflect the percentage of the total net win lost to the
1443 Tribe from the impacted facility or facilities. The foregoing
1444 shall not excuse any obligations of the Tribe to make payments
1445 to the state as and when required hereunder or in any related
1446 document or agreement.

1447 (4) The Tribe and the state recognize that opportunities
1448 to engage in gaming in smoke-free or reduced-smoke environments
1449 provides both health and other benefits to patrons, and the
1450 Tribe has instituted a nonsmoking section at its Seminole Hard

1451 Rock Hotel & Casino-Hollywood Facility. As part of its
1452 continuing commitment to this issue, the Tribe shall:

1453 (a) Install and utilize a ventilation system at all new
1454 construction at its facilities, which system exhausts tobacco
1455 smoke to the extent reasonably feasible under existing state-of-
1456 the-art technology.

1457 (b) Designate a smoke-free area for slot machines at all
1458 new construction at its facilities.

1459 (c) Install nonsmoking, vented tables for table games
1460 installed in its facilities sufficient to reasonably respond to
1461 demand for such tables.

1462 (d) Designate a nonsmoking area for gaming within all of
1463 its facilities within five years after the effective date of the
1464 compact.

1465 (5) The annual average minimum pay-out of all slot
1466 machines in each facility may not be less than 85 percent.

1467 (6) Nothing in this compact shall alter any of the
1468 existing memoranda of understanding, contracts, or other
1469 agreements entered into between the Tribe and any other federal,
1470 state, or local governmental entity.

1471 (7) The Tribe currently has, as set forth in its Employee
1472 Fair Treatment and Dispute Resolution Policy, and agrees to
1473 maintain, standards that are comparable to the standards
1474 provided in federal laws and state laws forbidding employers
1475 from discrimination in connection with the employment of persons

1476 working at the facilities on the basis of race, color, religion,
 1477 national origin, gender, age, disability, or marital status.
 1478 Nothing herein shall preclude the Tribe from giving preference
 1479 in employment, promotion, seniority, lay-offs, or retention to
 1480 members of the Tribe and other federally recognized tribes.

1481 (8) The Tribe shall, with respect to any facility where
 1482 covered games are played, adopt and comply with tribal
 1483 requirements that meet the same minimum state requirements
 1484 applicable to businesses in the state with respect to
 1485 environmental and building standards.

1487 PART XIX

1489 EXECUTION.—The Governor of the State of Florida affirms
 1490 that he has authority to act for the state in this matter and
 1491 that, provided that this compact is identical to the compact
 1492 ratified by the Legislature pursuant to s. 285.710(3)(c),
 1493 Florida Statutes, no further action by the state or any state
 1494 official is necessary for this compact to take effect upon
 1495 federal approval by action of the Secretary of the Department of
 1496 the Interior or by operation of law under 25 U.S.C. s.
 1497 2710(d)(8) by publication of the notice of approval in the
 1498 Federal Register. The Governor affirms that he will proceed with
 1499 obtaining such federal approval and take all other appropriate
 1500 action to effectuate the purposes and intent of this Compact.

1501 The undersigned Chairman of the Tribal Council of the Seminole
 1502 Tribe of Florida affirms that he is duly authorized and has the
 1503 authority to execute this Compact on behalf of the Tribe. The
 1504 Chairman also affirms that he will assist in obtaining federal
 1505 approval and take all other appropriate action to effectuate the
 1506 purposes and intent of this Compact.

1507 Section 2. Subsection (4) of section 285.712, Florida
 1508 Statutes, is amended to read:

1509 285.712 Tribal-state gaming compacts.—

1510 (4) Upon execution ~~receipt~~ of ~~an act ratifying~~ a tribal-
 1511 state compact entered pursuant to s. 285.710(3)(b), the Governor
 1512 shall provide a copy to the Secretary of State who shall forward
 1513 a copy of the executed compact and the ratifying act to the
 1514 United States Secretary of the Interior for his or her review
 1515 and approval, in accordance with 25 U.S.C. s. 2710(d)(8) ~~s.~~
 1516 ~~2710(8)(d)~~.

1517 Section 3. Section 288.1098, Florida Statutes, is created
 1518 to read:

1519 288.1098 Pari-mutuel Site Redevelopment Program.—

1520 (1) In order to create long-term economic stability in
 1521 communities in which pari-mutuel operations have been conducted,
 1522 to create new jobs, and to expand opportunities for economic
 1523 growth, the Pari-mutuel Site Redevelopment Program is created
 1524 within the Department of Economic Opportunity. All costs related
 1525 to the program, including administrative costs, are to be paid

1526 | from the Pari-mutuel Site Redevelopment Trust Fund.

1527 | (2) As used in this section the term:

1528 | (a) "Economic reinvestment" means the investment of funds
 1529 | into activities intended to create jobs located in the county in
 1530 | which the pari-mutuel is located.

1531 | (b) "Eligible pari-mutuel facility" means a pari-mutuel
 1532 | facility, as defined in s. 550.002, which is located outside of
 1533 | Miami-Dade and Broward Counties.

1534 | (c) "Eligible revenue" means the total revenue from pari-
 1535 | mutuel cardrooms, racing, and jai alai less the total sum of the
 1536 | amount paid as winnings to patrons and the amount paid to the
 1537 | state in taxes.

1538 | (d) "Pari-mutuel Site Redevelopment Trust Fund" means a
 1539 | trust fund established to accomplish the objectives of the Pari-
 1540 | mutuel Site Redevelopment Program and funded entirely by
 1541 | proceeds of the Gaming Compact between the Seminole Tribe of
 1542 | Florida and the State of Florida.

1543 | (e) "Program" means the Pari-mutuel Site Redevelopment and
 1544 | Job Creation Program.

1545 | (3) No later than December 31, 2020, any eligible pari-
 1546 | mutuel facility may relinquish all permits and licenses to
 1547 | conduct all forms of gambling operated at the facility in
 1548 | exchange for a one-time payment equal to either the eligible
 1549 | revenue of the facility in the preceding 3 years or \$1 million,
 1550 | whichever is greater. In order for a facility to participate,

1551 all permits and licenses for that facility must be relinquished.

1552 (a) If an eligible facility wanting to participate has an
1553 owner who also holds or shares ownership with any other eligible
1554 facility, all such facilities with must apply in order for any
1555 to qualify for the program.

1556 (b) Owners would retain all land and other property
1557 currently owned.

1558 (c) An owner or facility receiving payment from the
1559 program may not use any part of their land or any proceeds from
1560 the program for any gambling related enterprise, including any
1561 business that uses any facsimile of gambling or any game or
1562 device that mimics any form of gambling.

1563 (d) The recipient must agree to ensure that an amount
1564 equal to 35 percent of the proceeds received will be directed
1565 toward economic reinvestment. Such reinvestment may come from
1566 proceeds received pursuant to this act or from other investments
1567 realized as a result of the redevelopment of the pari-mutuel
1568 site.

1569 (4) The program is authorized to allocate up to \$25
1570 million in job training for those currently in the pari-mutuel
1571 industry.

1572 (a) The department may develop job training programs or
1573 award the funds as grants towards existing job training
1574 programs, as long as the existing programs are targeted to those
1575 who work in the pari-mutuel industry on July 1, 2020.

1576 (b) Priority in any job training program receiving these
 1577 funds shall be given to those who received income from a
 1578 facility that is relinquishing its licenses under the program.

1579 (5) The program is authorized to allocate up to \$5 million
 1580 to award grants to nonprofit organizations that have missions to
 1581 ensure the humane treatment and adoption of animals that were
 1582 used in pari-mutuel facilities.

1583 (6) The department may adopt rules to implement this
 1584 section.

1585 Section 4. Subsection (9), paragraph (a) of subsection
 1586 (11), and subsections (13) and (14) of section 550.054, Florida
 1587 Statutes, are amended to read:

1588 550.054 Application for permit to conduct pari-mutuel
 1589 wagering.—

1590 (9) (a) After a permit has been granted by the division and
 1591 has been ratified and approved by the majority of the electors
 1592 participating in the election in the county designated in the
 1593 permit, the division shall grant to the lawful permitholder,
 1594 subject to the conditions of this chapter, a license to conduct
 1595 pari-mutuel operations under this chapter, and, except as
 1596 provided in s. 550.5251, the division shall fix annually the
 1597 time, place, and number of days during which pari-mutuel
 1598 operations may be conducted by the permitholder at the location
 1599 fixed in the permit and ratified in the election. After the
 1600 first license has been issued to the holder of a ratified permit

1601 for racing in any county, all subsequent annual applications for
1602 a license by that permitholder must be accompanied by proof, in
1603 such form as the division requires, that the ratified
1604 permitholder still possesses all the qualifications prescribed
1605 by this chapter and that the permit has not been recalled at a
1606 later election held in the county.

1607 (b) The division may revoke or suspend any permit or
1608 license issued under this chapter upon a the willful violation
1609 by the permitholder or licensee ~~of any provision of chapter 551,~~
1610 chapter 849, or this chapter or rules of any rule adopted
1611 pursuant to those chapters under this chapter. With the
1612 exception of the revocation of permits required in paragraphs
1613 (c) and (f) In lieu of suspending or revoking a permit or
1614 license, the division, in lieu of suspending or revoking a
1615 permit or license, may impose a civil penalty against the
1616 permitholder or licensee for a violation of this chapter or
1617 rules adopted pursuant thereto any rule adopted by the division.
1618 The penalty so imposed may not exceed \$1,000 for each count or
1619 separate offense. All penalties imposed and collected must be
1620 deposited with the Chief Financial Officer to the credit of the
1621 General Revenue Fund.

1622 (c)1. The division shall revoke the permit of any
1623 permitholder that fails to make payments due pursuant to chapter
1624 550, chapter 551, or s. 849.086 for more than 24 consecutive
1625 months unless such failure was the direct result of fire,

1626 strike, war, or other disaster or event beyond the
 1627 permitholder's control. Financial hardship to the permitholder
 1628 does not, in and of itself, constitute just cause for failure to
 1629 make payments.

1630 2. The division shall revoke the permit of any
 1631 permitholder that has not obtained an operating license in
 1632 accordance with s. 550.01215 for a period of more than 24
 1633 consecutive months after June 30, 2012. The division shall
 1634 revoke the permit upon adequate notice to the permitholder.
 1635 Financial hardship to the permitholder does not, in and of
 1636 itself, constitute just cause for failure to operate.

1637 (d) A new permit to conduct pari-mutuel wagering may not
 1638 be approved or issued after July 1, 2020.

1639 (e) A permit revoked under this subsection is void and may
 1640 not be reissued.

1641 (11) (a) A permit granted under this chapter may not be
 1642 transferred or assigned except upon written approval by the
 1643 division pursuant to s. 550.1815, ~~except that the holder of any~~
 1644 ~~permit that has been converted to a jai alai permit may lease or~~
 1645 ~~build anywhere within the county in which its permit is located.~~

1646 (13) ~~(a)~~ Notwithstanding any provision ~~provisions~~ of this
 1647 chapter or chapter 551, a pari-mutuel ~~no thoroughbred horse~~
 1648 ~~racine~~ permit or license issued under this chapter may not ~~shall~~
 1649 ~~be transferred, or reissued when such reissuance is in the~~
 1650 ~~nature of a transfer so as to permit or authorize a licensee to~~

1651 ~~change the location of a thoroughbred horse racetrack except~~
1652 ~~upon proof in such form as the division may prescribe that a~~
1653 ~~referendum election has been held:~~

1654 ~~1. If the proposed new location is within the same county~~
1655 ~~as the already licensed location, in the county where the~~
1656 ~~licensee desires to conduct the race meeting and that a majority~~
1657 ~~of the electors voting on that question in such election voted~~
1658 ~~in favor of the transfer of such license.~~

1659 ~~2. If the proposed new location is not within the same~~
1660 ~~county as the already licensed location, in the county where the~~
1661 ~~licensee desires to conduct the race meeting and in the county~~
1662 ~~where the licensee is already licensed to conduct the race~~
1663 ~~meeting and that a majority of the electors voting on that~~
1664 ~~question in each such election voted in favor of the transfer of~~
1665 ~~such license.~~

1666 ~~(b) Each referendum held under the provisions of this~~
1667 ~~subsection shall be held in accordance with the electoral~~
1668 ~~procedures for ratification of permits, as provided in s.~~
1669 ~~550.0651. The expense of each such referendum shall be borne by~~
1670 ~~the licensee requesting the transfer.~~

1671 ~~(14) (a) Notwithstanding any other provision of law, a~~
1672 ~~pari-mutuel permit, cardroom, or slot machine facility may not~~
1673 ~~be relocated, and a pari-mutuel permit may not be converted to~~
1674 ~~another class of permit. Any holder of a permit to conduct jai~~
1675 ~~alai may apply to the division to convert such permit to a~~

1676 ~~permit to conduct greyhound racing in lieu of jai alai if:~~

1677 ~~1. Such permit is located in a county in which the~~
1678 ~~division has issued only two pari-mutuel permits pursuant to~~
1679 ~~this section;~~

1680 ~~2. Such permit was not previously converted from any other~~
1681 ~~class of permit; and~~

1682 ~~3. The holder of the permit has not conducted jai alai~~
1683 ~~games during a period of 10 years immediately preceding his or~~
1684 ~~her application for conversion under this subsection.~~

1685 ~~(b) The division, upon application from the holder of a~~
1686 ~~jai alai permit meeting all conditions of this section, shall~~
1687 ~~convert the permit and shall issue to the permit holder a permit~~
1688 ~~to conduct greyhound racing. A permit holder of a permit~~
1689 ~~converted under this section shall be required to apply for and~~
1690 ~~conduct a full schedule of live racing each fiscal year to be~~
1691 ~~eligible for any tax credit provided by this chapter. The holder~~
1692 ~~of a permit converted pursuant to this subsection or any holder~~
1693 ~~of a permit to conduct greyhound racing located in a county in~~
1694 ~~which it is the only permit issued pursuant to this section who~~
1695 ~~operates at a leased facility pursuant to s. 550.475 may move~~
1696 ~~the location for which the permit has been issued to another~~
1697 ~~location within a 30-mile radius of the location fixed in the~~
1698 ~~permit issued in that county, provided the move does not cross~~
1699 ~~the county boundary and such location is approved under the~~
1700 ~~zoning regulations of the county or municipality in which the~~

1701 ~~permit is located, and upon such relocation may use the permit~~
1702 ~~for the conduct of pari-mutuel wagering and the operation of a~~
1703 ~~cardroom. The provisions of s. 550.6305(9)(d) and (f) shall~~
1704 ~~apply to any permit converted under this subsection and shall~~
1705 ~~continue to apply to any permit which was previously included~~
1706 ~~under and subject to such provisions before a conversion~~
1707 ~~pursuant to this section occurred.~~

1708 Section 5. Section 550.0555, Florida Statutes, is
1709 repealed.

1710 Section 6. Section 550.0745, Florida Statutes, is
1711 repealed.

1712 Section 7. Subsection (3) of section 550.09512, Florida
1713 Statutes, is amended to read:

1714 550.09512 Harness horse taxes; abandoned interest in a
1715 permit for nonpayment of taxes.—

1716 (3) ~~(a)~~ The division shall revoke the permit of a harness
1717 horse racing permitholder who does not pay tax on handle for
1718 live harness horse performances for a full schedule of live
1719 races for more than 24 consecutive months ~~during any 2~~
1720 ~~consecutive state fiscal years shall be void and shall escheat~~
1721 ~~to and become the property of the state unless such failure to~~
1722 ~~operate and pay tax on handle was the direct result of fire,~~
1723 ~~strike, war, or other disaster or event beyond the ability of~~
1724 ~~the permitholder to control. Financial hardship to the~~
1725 permitholder does ~~shall~~ not, in and of itself, constitute just

1726 cause for failure to operate and pay tax on handle. A permit
1727 revoked under this subsection is void and may not be reissued.

1728 ~~(b) In order to maximize the tax revenues to the state,~~
1729 ~~the division shall reissue an escheated harness horse permit to~~
1730 ~~a qualified applicant pursuant to the provisions of this chapter~~
1731 ~~as for the issuance of an initial permit. However, the~~
1732 ~~provisions of this chapter relating to referendum requirements~~
1733 ~~for a pari-mutuel permit shall not apply to the reissuance of an~~
1734 ~~escheated harness horse permit. As specified in the application~~
1735 ~~and upon approval by the division of an application for the~~
1736 ~~permit, the new permitholder shall be authorized to operate a~~
1737 ~~harness horse facility anywhere in the same county in which the~~
1738 ~~escheated permit was authorized to be operated, notwithstanding~~
1739 ~~the provisions of s. 550.054(2) relating to mileage limitations.~~

1740 Section 8. Subsections (3) and (7) of section 550.09515,
1741 Florida Statutes, are amended to read:

1742 550.09515 Thoroughbred horse taxes; abandoned interest in
1743 a permit for nonpayment of taxes.—

1744 (3)(a) The division shall revoke the permit of a
1745 thoroughbred racing horse permitholder that who does not pay tax
1746 on handle for live thoroughbred horse performances for a full
1747 schedule of live races for more than 24 consecutive months
1748 ~~during any 2 consecutive state fiscal years shall be void and~~
1749 ~~shall escheat to and become the property of the state unless~~
1750 such failure to operate and pay tax on handle was the direct

1751 result of fire, strike, war, or other disaster or event beyond
1752 the ability of the permitholder to control. Financial hardship
1753 to the permitholder does ~~shall~~ not, in and of itself, constitute
1754 just cause for failure to operate and pay tax on handle. A
1755 permit revoked under this subsection is void and may not be
1756 reissued.

1757 ~~(b) In order to maximize the tax revenues to the state,~~
1758 ~~the division shall reissue an escheated thoroughbred horse~~
1759 ~~permit to a qualified applicant pursuant to the provisions of~~
1760 ~~this chapter as for the issuance of an initial permit. However,~~
1761 ~~the provisions of this chapter relating to referendum~~
1762 ~~requirements for a pari-mutuel permit shall not apply to the~~
1763 ~~reissuance of an escheated thoroughbred horse permit. As~~
1764 ~~specified in the application and upon approval by the division~~
1765 ~~of an application for the permit, the new permitholder shall be~~
1766 ~~authorized to operate a thoroughbred horse facility anywhere in~~
1767 ~~the same county in which the escheated permit was authorized to~~
1768 ~~be operated, notwithstanding the provisions of s. 550.054(2)~~
1769 ~~relating to mileage limitations.~~

1770 ~~(7) If a thoroughbred permitholder fails to operate all~~
1771 ~~performances on its 2001-2002 license, failure to pay tax on~~
1772 ~~handle for a full schedule of live races for those performances~~
1773 ~~in the 2001-2002 fiscal year does not constitute failure to pay~~
1774 ~~taxes on handle for a full schedule of live races in a fiscal~~
1775 ~~year for the purposes of subsection (3). This subsection may not~~

1776 ~~be construed as forgiving a thoroughbred permitholder from~~
 1777 ~~paying taxes on performances conducted at its facility pursuant~~
 1778 ~~to its 2001-2002 license other than for failure to operate all~~
 1779 ~~performances on its 2001-2002 license. This subsection expires~~
 1780 ~~July 1, 2003.~~

1781 Section 9. Section 550.3345, Florida Statutes, is amended
 1782 to read:

1783 550.3345 ~~Conversion of quarter horse permit to a~~ Limited
 1784 thoroughbred racing permit.-

1785 (1) In recognition of the important and long-standing
 1786 economic contribution of the thoroughbred horse breeding
 1787 industry to this state and the state's vested interest in
 1788 promoting the continued viability of this agricultural activity,
 1789 the state intends to provide a limited opportunity for the
 1790 conduct of live thoroughbred horse racing with the net revenues
 1791 from such racing dedicated to the enhancement of thoroughbred
 1792 purses and breeders', stallion, and special racing awards under
 1793 this chapter; the general promotion of the thoroughbred horse
 1794 breeding industry; and the care in this state of thoroughbred
 1795 horses retired from racing.

1796 (2) A limited thoroughbred racing permit previously
 1797 converted from ~~Notwithstanding any other provision of law, the~~
 1798 ~~holder of a quarter horse racing permit pursuant to chapter~~
 1799 2010-29, Laws of Florida, issued under s. 550.334 may only be
 1800 held by, ~~within 1 year after the effective date of this section,~~

1801 ~~apply to the division for a transfer of the quarter horse racing~~
1802 ~~permit to~~ a not-for-profit corporation formed under state law to
1803 serve the purposes of the state as provided in subsection (1).
1804 The board of directors of the not-for-profit corporation must be
1805 composed ~~comprised~~ of 11 members, 4 of whom shall be designated
1806 by the applicant, 4 of whom shall be designated by the Florida
1807 Thoroughbred Breeders' Association, and 3 of whom shall be
1808 designated by the other 8 directors, with at least 1 of these 3
1809 members being an authorized representative of another
1810 thoroughbred racing permitholder in this state. A limited
1811 thoroughbred racing ~~The not-for-profit corporation shall submit~~
1812 ~~an application to the division for review and approval of the~~
1813 ~~transfer in accordance with s. 550.054. Upon approval of the~~
1814 ~~transfer by the division, and notwithstanding any other~~
1815 ~~provision of law to the contrary, the not for profit corporation~~
1816 ~~may, within 1 year after its receipt of the permit, request that~~
1817 ~~the division convert the quarter horse racing permit to a permit~~
1818 ~~authorizing the holder to conduct pari-mutuel wagering meets of~~
1819 ~~thoroughbred racing. Neither the transfer of the quarter horse~~
1820 ~~racing permit nor its conversion to a limited thoroughbred~~
1821 ~~permit shall be subject to the mileage limitation or the~~
1822 ~~ratification election as set forth under s. 550.054(2) or s.~~
1823 ~~550.0651. Upon receipt of the request for such conversion, the~~
1824 ~~division shall timely issue a converted permit. The converted~~
1825 ~~permit and the not-for-profit corporation~~ are ~~shall be~~ subject

1826 to the following requirements:

1827 (a) All net revenues derived by the not-for-profit
 1828 corporation under the thoroughbred ~~horse~~ racing permit, after
 1829 the funding of operating expenses and capital improvements,
 1830 shall be dedicated to the enhancement of thoroughbred purses and
 1831 breeders', stallion, and special racing awards under this
 1832 chapter; the general promotion of the thoroughbred horse
 1833 breeding industry; and the care in this state of thoroughbred
 1834 horses retired from racing.

1835 (b) From December 1 through April 30, ~~no~~ live thoroughbred
 1836 racing may not be conducted under the permit on any day during
 1837 which another thoroughbred racing permitholder is conducting
 1838 live thoroughbred racing within 125 air miles of the not-for-
 1839 profit corporation's pari-mutuel facility unless the other
 1840 thoroughbred racing permitholder gives its written consent.

1841 (c) After ~~the conversion of the quarter horse racing~~
 1842 ~~permit and the~~ issuance of its initial license to conduct pari-
 1843 mutuel wagering meets of thoroughbred racing, the not-for-profit
 1844 corporation shall annually apply to the division for a license
 1845 pursuant to s. 550.5251.

1846 (d) Racing under the permit may take place only at the
 1847 location for which the original quarter horse racing permit was
 1848 issued, which may be leased by the not-for-profit corporation
 1849 for that purpose; ~~however, the not-for-profit corporation may,~~
 1850 ~~without the conduct of any ratification election pursuant to s.~~

1851 ~~550.054(13) or s. 550.0651, move the location of the permit to~~
 1852 ~~another location in the same county provided that such~~
 1853 ~~relocation is approved under the zoning and land use regulations~~
 1854 ~~of the applicable county or municipality.~~

1855 (e) A limited thoroughbred racing ~~No permit may not be~~
 1856 transferred ~~converted under this section is eligible for~~
 1857 ~~transfer~~ to another person or entity.

1858 (3) Unless otherwise provided in this section, ~~after~~
 1859 ~~conversion,~~ the permit and the not-for-profit corporation shall
 1860 be treated under the laws of this state as a thoroughbred racing
 1861 permit and as a thoroughbred racing permitholder, respectively,
 1862 with the exception of ss. 550.054(9)(c) and 550.09515(3) ~~s.~~
 1863 ~~550.09515(3).~~

1864 Section 10. Subsection (4) of section 551.102, Florida
 1865 Statutes, is amended to read:

1866 (4) "Eligible facility" means any licensed pari-mutuel
 1867 facility located in Miami-Dade County or Broward County existing
 1868 at the time of adoption of s. 23, Art. X of the State
 1869 Constitution that has conducted live racing or games during
 1870 calendar years 2002 and 2003 and has been approved by a majority
 1871 of voters in a countywide referendum to have slot machines at
 1872 such facility in the respective county; or any licensed pari-
 1873 mutuel facility located within a county as defined in s.
 1874 125.011, provided such facility has conducted live racing for 2
 1875 consecutive calendar years immediately preceding its application

1876 for a slot machine license, pays the required license fee, and
1877 meets the other requirements of this chapter; ~~or any licensed~~
1878 ~~pari-mutuel facility in any other county in which a majority of~~
1879 ~~voters have approved slot machines at such facilities in a~~
1880 ~~countywide referendum held pursuant to a statutory or~~
1881 ~~constitutional authorization after the effective date of this~~
1882 ~~section in the respective county, provided such facility has~~
1883 ~~conducted a full schedule of live racing for 2 consecutive~~
1884 ~~calendar years immediately preceding its application for a slot~~
1885 ~~machine license, pays the required licensed fee, and meets the~~
1886 ~~other requirements of this chapter.~~

1887 Section 11. Subsection (1) of section 551.104, Florida
1888 Statutes, is amended to read:

1889 551.104 License to conduct slot machine gaming.—

1890 (1) Upon application and a finding by the division after
1891 investigation that the application is complete and the applicant
1892 is qualified and payment of the initial license fee, the
1893 division may issue a license to conduct slot machine gaming in
1894 the designated slot machine gaming area of the eligible
1895 facility. Once licensed, slot machine gaming may be conducted
1896 subject to the requirements of this chapter and rules adopted
1897 pursuant thereto. Notwithstanding any other provision of law,
1898 the division may not issue an initial license to conduct slot
1899 machine gaming after July 1, 2020, or otherwise authorize the
1900 conduct of slot machine gaming at any facility or location which

1901 was not conducting slot machine gaming as of July 1, 2020.

1902 Section 12. Paragraph (a) of subsection (2) of section
 1903 551.106, Florida Statutes, is amended to read:

1904 551.106 License fee; tax rate; penalties.—

1905 (2) TAX ON SLOT MACHINE REVENUES.—

1906 (a) The tax rate on slot machine revenues at each facility
 1907 shall be 30 ~~35~~ percent. If, during any state fiscal year, the
 1908 aggregate amount of tax paid to the state by all slot machine
 1909 licensees in Broward and Miami-Dade Counties is less than the
 1910 aggregate amount of tax paid to the state by all slot machine
 1911 licensees in the 2008-2009 fiscal year, each slot machine
 1912 licensee shall pay to the state within 45 days after the end of
 1913 the state fiscal year a surcharge equal to its pro rata share of
 1914 an amount equal to the difference between the aggregate amount
 1915 of tax paid to the state by all slot machine licensees in the
 1916 2008-2009 fiscal year and the amount of tax paid during the
 1917 fiscal year. Each licensee's pro rata share shall be an amount
 1918 determined by dividing the number 1 by the number of facilities
 1919 licensed to operate slot machines during the applicable fiscal
 1920 year, regardless of whether the facility is operating such
 1921 machines.

1922 Section 13. Paragraphs (a) and (b) of subsection (2),
 1923 paragraph (d) of subsection (7), subsection (12), paragraph (c)
 1924 of subsection (14), and paragraph (a) of subsection (17) of
 1925 section 849.086, Florida Statutes, are amended to read:

1926 849.086 Cardrooms authorized.—

1927 (2) DEFINITIONS.—As used in this section:

1928 (a) "Authorized game" means a game or series of games of
 1929 traditional poker or dominoes which are played in a pari-mutuel,
 1930 nonbanking manner, where all players at the table play against
 1931 all other players at the table and contribute to a common pot of
 1932 winnings collected by the winner, and which are played in a
 1933 manner consistent with the rules and requirements set forth in
 1934 the 1974 edition of Hoyle's Modern Encyclopedia of Card Games.

1935 (b) "Banking game" means a game in which the house is a
 1936 participant in the game, taking on players, paying winners, and
 1937 collecting from losers, or a game in which any person or party
 1938 serves as the cardroom establishes a bank against which
 1939 participants play.

1940 (7) CONDITIONS FOR OPERATING A CARDROOM.—

1941 (d) A cardroom operator may award giveaways, jackpots, and
 1942 prizes to a player who holds certain combinations of cards
 1943 specified by the cardroom operator, provided that the award of
 1944 such giveaway, jackpot, or prize does not constitute a
 1945 prohibited activity under subsection (12).

1946 (12) PROHIBITED ACTIVITIES.—

1947 (a) ~~No person licensed to operate a cardroom may conduct~~
 1948 ~~any banking game or~~ Any game not specifically authorized by this
 1949 section is prohibited. Prohibited games include, but are not
 1950 limited to:

1951 1. Any game in which the cardroom or any other person or
 1952 party serves as a bank or banker against which players play.

1953 2. Any game in which players compete against a designated
 1954 player instead of competing against all players at the table.

1955 3. Any game in which the number of cards or ranking of
 1956 hands does not conform to the rules and requirements for
 1957 traditional poker as set forth in the 1974 edition of Hoyle's
 1958 Modern Encyclopedia of Card Games.

1959 4. Any other game conducted in a manner that is not
 1960 consistent with the provisions of this section.

1961 (b) ~~No person~~ Persons under 18 years of age may not be
 1962 permitted to hold a cardroom or employee license, or engage in
 1963 any game conducted therein.

1964 (c) ~~No~~ Electronic or mechanical devices, except mechanical
 1965 card shufflers, may not be used to conduct any authorized game
 1966 in a cardroom.

1967 (d) ~~No~~ Cards, game components, or game implements may not
 1968 be used in playing an authorized game unless such has been
 1969 furnished or provided to the players by the cardroom operator.

1970 (14) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE; FINE.—

1971 (c) ~~Notwithstanding any other provision of this section,~~
 1972 The division may impose an administrative fine not to exceed
 1973 \$1,000 for each violation against any person who has violated or
 1974 failed to comply with the provisions of this section or any
 1975 rules adopted pursuant thereto. The division may revoke the

1976 | license of any person who violates subsection (12) on or after
 1977 | July 1, 2020.

1978 | (17) CHANGE OF LOCATION; REFERENDUM.—

1979 | (a) Notwithstanding any provisions of this section, no
 1980 | cardroom gaming license issued under this section shall be
 1981 | transferred, or reissued when such reissuance is in the nature
 1982 | of a transfer, so as to permit or authorize a licensee to change
 1983 | the location of the cardroom except upon proof in such form as
 1984 | the division may prescribe that a referendum election has been
 1985 | held:

1986 | 1. If the proposed new location is within the same county
 1987 | as the already licensed location, in the county where the
 1988 | licensee desires to conduct cardroom gaming and that a majority
 1989 | of the electors voting on the question in such election voted in
 1990 | favor of the transfer of such license. ~~However, the division~~
 1991 | ~~shall transfer, without requirement of a referendum election,~~
 1992 | ~~the cardroom license of any permit holder that relocated its~~
 1993 | ~~permit pursuant to s. 550.0555.~~

1994 | 2. If the proposed new location is not within the same
 1995 | county as the already licensed location, in the county where the
 1996 | licensee desires to conduct cardroom gaming and that a majority
 1997 | of the electors voting on that question in each such election
 1998 | voted in favor of the transfer of such license.

1999 | Section 14. All cardroom games involving designated
 2000 | players or a bank of any kind are illegal and prohibited under

2001 s. 849.086, Florida Statutes. Any past or future action or
 2002 inaction by the Division of Pari-mutuel Wagering considered by
 2003 any party or construed by a tribunal to constitute permission
 2004 from the state, either for a licensed cardroom to conduct a
 2005 banking game for purposes of s. 849.086, Florida Statutes, or
 2006 for a licensed cardroom to conduct a banking or banked card game
 2007 for purposes of the Gaming Compact between the Seminole Tribe of
 2008 Florida and the State of Florida executed pursuant to s.
 2009 285.710(3)(b), Florida Statutes, exceeds the division's
 2010 delegated legislative authority, is contrary to will of the
 2011 Legislature as expressed in the plain words of the Florida
 2012 Statutes, and does not represent state action for purposes of
 2013 the Gaming Compact executed pursuant to s. 285.710(3)(b),
 2014 Florida Statutes.

2015 Section 15. This act shall take effect upon becoming a
 2016 law.