

COMPARISON OF SENATE AND HOUSE POSITIONS ON GAMING

Line	SENATE	HOUSE
	<p><i>SEMINOLE COMPACT</i> <i>§ 285.710, FS</i></p>	
1	<p>Ratifies the 2015 Gaming Compact executed by the Governor- with required, specified amendments.</p>	<p>Ratifies a new 2017 Gaming Compact with all terms specified in the bill’s text; legislative ratification/approval expires January 1, 2018.</p>
2	<p>Term: 20 years for all provisions.</p>	<p>Same.</p>
3	<p>Authorized Games:</p> <ul style="list-style-type: none"> ▪ Slots (all 7 facilities). ▪ Banked Card Games (all 7 facilities). ▪ Craps & Roulette (all 7 facilities). 	<p>Authorized Games:</p> <ul style="list-style-type: none"> ▪ Slots (all 7 facilities). ▪ Banked Card Games (5 of 7 facilities only).
4	<p>Requires amendments to the Compact to allow:</p> <ul style="list-style-type: none"> ▪ Slot machine gaming in counties where the voters approve slot machines; ▪ Playing of fantasy contest amusement games; ▪ Limited house banked blackjack at cardrooms in Broward and Miami-Dade Counties; ▪ Designated player poker games to be played at <u>all</u> cardrooms; ▪ Point-of-sale purchases of lottery tickets; and ▪ Incorporation of other pari-mutuel law changes in the bill. 	<p>Compact approved and ratified in advance by the Legislature, provided the executed 2017 Compact is identical to that set forth in the HB.</p> <p>Amendment of the 2017 compact is subject to written agreement of the parties, with legislative ratification required.</p>

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5	<p>Guaranteed Revenue Sharing:</p> <p>7-year guarantee: \$3 billion – 7.1.17-6.30.24</p> <p><u>Annual Payments:</u></p> <p>1- \$325 million 2- \$350 million 3- \$375 million 4- \$425 million 5- \$475 million 6- \$500 million 7- <u>\$550 million</u></p> <ul style="list-style-type: none"> ▪ Total: \$3 Billion guaranteed; true-up at end of year 7. 	<p>Same.</p>
6	<p>Percentage Payments on Net Win</p> <p>0-\$2B: 13% (1% increase over 2010 Compact)</p> <p>\$2-3B: 17.5% (2.5% increase over 2010 Compact)</p> <p>\$3-3.5B: 17.5%</p> <p>\$3.5-4B: 20%</p> <p>\$4-4.5B: 22.5%</p> <p>\$4.5B+: 25%</p>	<p>Same.</p>

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7	<p>Use of Compact Revenue</p> <p>3% to affected local governments.</p> <p>Balance: General Revenue.</p>	<p>Use of Compact Revenue</p> <p>3% to affected local governments.</p> <p>Balance required to be allocated as follows to maintain revenue share:</p> <ul style="list-style-type: none"> • One-third for K-12 teacher recruitment and retention bonuses. • One-third for schools that serve students from persistently failing schools. • One-third for higher education institutions to recruit and retain distinguished faculty. <p><i>If revenue sharing is not allocated to those specific education purposes, then all revenue sharing ceases, unless and until such allocations are made, in which event revenue sharing resumes.</i></p>
PARI-MUTUEL WAGERING		
8	<p>Full decoupling of greyhound racing, jai alai, harness racing and quarter horse racing. § 550.01215(1)(b) – (e), FS</p>	<p>No change to live performance requirements under current law.</p> <p>2017 Compact specifies that any reduction in live performances by a pari-mutuel facility would potentially affect revenue sharing and exclusivity.</p>
9	<p>Partial decoupling of thoroughbred racing (election available for 30 days only). § 550.01215(1)(c), FS</p>	<p>No change to live performance requirements under current law.</p> <p>2017 Compact specifies that any reduction in live performances by a pari-mutuel facility would potentially affect revenue sharing and exclusivity.</p>
10	<p>Reduces pari-mutuel tax rates; repeals tax credits. §§ 550.0951(1), (3)(b), 550.09514(1)</p>	<p>No provision.</p>
11	<p>Requires reporting of greyhound injuries. § 550.2416, FS</p>	<p>No provision.</p>

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12	Updates the anti-doping standards for racing animals. Requires chain of custody and split sample procedures for testing, one sample be tested by the state’s testing lab, and DPMW adopt a recommended penalty system. § 550.2415(4), (5) & (7), FS	No provision.
13	Creates \$20M Thoroughbred Purse and Awards Supplement Program effective 7.1.2019, funded by Compact revenues. <i>First</i> \$10 million is for a thoroughbred permitholder without slot machines (i.e., Tampa Bay Downs). Balance distributed pro rata, based on licensed live racing days. § 550.1753, FS	No provision.
14	Creates \$20M pari-mutuel permit reduction program funded by Compact revenues. DPMW considers offers to sell active permits only, and valuation must be based on independent appraisals. Program expires 1.1.19. § 550.1752, FS	No provision.
15	Repeals authority for transfer of a thoroughbred horse racing permit and jai alai permit. Prohibits a PM permit, slot machine license, or cardroom license from being transferred or relocated, except pursuant to § 550.055, FS. §§ 550.054(13) & (14), 551.1042, 849.086(18)	Similar. Prohibits all transfers, conversions, or relocations of a PM permit, cardroom or slot machine facility, without exceptions. § 550.054(13) & (14)
16	Relocation of certain permits allowed (jai alai or greyhound, if it is the only jai alai permit or the only greyhound permit, in the county; and, a greyhound permit previously converted from a jai alai permit), under certain circumstances (new location is within the same county; is more than 10 miles from Atlantic Ocean; is more than 10 miles from another PM facility or is an existing PM facility location; and location is approved under local zoning). § 550.0555, FS	Repeals authority for permit relocation. Repeals § 550.0555, FS
17	Prohibits issuance of new permits beginning 30 days after bill takes effect. § 550.054(9)(e), F.S.	Prohibits issuance of new permits after 1.1.2017. § 550.054(9)(d), FS. Repeals §§ 550.09512(3), 550.09515(3), FS
18	Repeals section authorizing conversion of a PM permit to a summer jai alai permit under certain circumstances. Repeals section authorizing the creation and issuance of new summer jai alai permits when such conversions do not occur. § 550.0745, FS	Same.

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19	DPMW must revoke the permit of any permitholder that fails to make tax payments for more than 24 months, with certain limited exceptions. Revoked permits may not be reissued. §§ 550.054(9)(d), 550.09512(3), 550.09515(3), FS	DPMW must revoke the pari-mutuel permit of any permitholder that fails to make tax payments due under chapters 550 or 551, FS, or § 849.086, FS, for more than 24 months, with certain limited exceptions. Revoked permits may not be reissued. § 550.054(9)(c)1., FS
20	DPMW is required to revoke PM wagering permits if the permitholder has not conducted live events within 24 months before the effective date of the bill. Revoked permits may not be reissued. § 550.054(9)c), FS, and § 24 of the bill	Similar. § 550.054(9)(c)2., FS
SLOT MACHINES		
21	Authorizes eligibility for slot machine licenses at PM facilities in all current and future referendum counties outside Broward/Miami-Dade; facilities required to previously have conducted a full schedule of live racing for 2 years. §§ 551.102(4) & 551.104(2)(a), FS	Slots machine facilities outside Broward & Miami-Dade Counties are not allowed; if allowed would potentially affect revenue sharing and exclusivity under the 2017 Compact. No new slot machine licenses may be issued after 1.1.2017. Repeals the third clause of the definition of “eligible facility” in § 551.102(4), FS, (this clause is the subject of pending litigation at the Florida Supreme Court concerning the Division’s authority to issue slot machine licenses in counties which held a referendum pursuant to this clause).
22	Reduces slot machine taxes from 35% to 30% on 1.1.2018, and to 25% on 7.1.2019. § 551.106((2)(a)1., FS	No provision.
23	Minimum tax guarantee for <u>existing</u> Broward & Miami-Dade facilities: if total tax in a FY is less than FY 2017-18, each facility pays a surcharge to make up revenue deficit based on reduction and each facility’s current slot revenue; effective tax rate is same for all and total payment of tax and surcharge can’t exceed 35%. § 551.106(2)(a)2., FS	No provision.
24	Minimum tax guarantee for <u>new facilities</u> : \$11 million in FY 2018-19; \$21 million in FY 2019-20 and thereafter. Payment of the surcharge is due within 45 days after the end of the fiscal year. § 551.106(3), FS	No provision.

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25	Decoupled facilities must contribute lesser of \$2 million or 3 percent of slot machine revenues from the prior fiscal year, for thoroughbred purse and awards. § 551.104(4)(c)2., FS	No provision.
26	One new slots facility in Broward County, and one new slots facility in Miami-Dade County. No limit on number of machines or types of machines. § 551.1043, FS	No provision. No new (initial) slot machine licenses may be issued after 1.1.2017. § 551.104(1), FS
27	Any person not licensed to conduct slot machine gaming may apply for the license. § 551.1043, FS	No provision.
28	If more than one applicant, criteria are specified to award the license to the best applicant. § 551.1043, FS	No provision.
29	Allows the 2 facilities to operate a cardroom (with designated player poker games) and up to 25 blackjack tables. § 551.1043, FS	No provision.
30	Minimum Revenue Guarantee for new slot machine facilities applies; \$11 million in FY 2018-19, \$21 million in FY 2019-20. § 551.106(3), FS	No provision.
BLACKJACK		
31	House banked blackjack at <i>existing</i> Broward & Miami-Dade slot facilities; maximum of 25 tables at each. \$100 maximum wager. Wagers on splits or double downs may not exceed the initial wager; single side bets of \$5 or less are allowed. § 551.1044, FS	No provision.
32	Tax: 25% of blackjack revenues. § 551.1044(3), FS	No provision.

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Line	SENATE	HOUSE
	CARDROOMS	
33	Repeals requirement for licensees to conduct at least 90 percent of the performances conducted in the state fiscal year the cardroom license was granted or in the state fiscal year prior to the cardroom license application if a full schedule of live racing or games was conducted. § 849.086(5), FS	No provision. Any reduction in the existing requirements for the conduct of live racing by a permitholder with a cardroom would potentially affect revenue sharing and exclusivity under the 2017 Compact.
34	Authorizes designated player games at all cardrooms. § 849.086(2) & (9), FS	Specifies that designated player games or any other form of a card game involving a bank are prohibited in cardrooms. Provides criteria for authorized games in cardrooms based on rules and requirements for traditional poker as set forth in <i>Hoyle's Modern Encyclopedia of Card Games</i> (1974 edition). § 849.086(2)(a), FS Specifies that any cardroom that offers designated player games or any other form of a card game involving a bank would potentially affect revenue sharing and exclusivity under the 2017 Compact. Specifies that any action or inaction by DPMW construed to allow designated player or other banking games does NOT constitute state action for purposes of the 2017 Compact.
35	Establishes designated player game requirements and individual licensing requirements for designated players. § 849.086(2) & (9), FS	No provision.
36	Cardroom Employee Occupational License Fee: up to \$500 annually for designated players and employees. § 849.086(9)(a), FS	No provision.
37	DPMW must respond within specified time periods to licensee requests concerning internal controls or new games. § 849.086(4)(g), FS	No provision.

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38	Decoupled facilities must contribute 4 percent of monthly cardroom gross receipts for thoroughbred purse and awards. § 849.086(14)(d)2., FS	No provision.
	POINT-OF-SALE OF LOTTERY TICKETS	
39	Allows lottery tickets to be sold at point-of-sale terminals (“pay at the pump”) to buyers over 18 years old, and with a dollar limit on the lottery tickets purchased at the pump; the purchase method may include credit cards, debit cards, <u>or other similar charge card payments.</u> §§ 24.103, 24.105 & 24.112, FS	No provision.
	FANTASY CONTESTS §§ 546.11 – 546.18, FS	
40	Creates the Fantasy Contest Amusement Act to regulate daily fantasy sports.	No provision.
41	License required for operators offering cash prizes <u>to the public</u> ; regulated by a new office in DBPR.	No provision.
42	Consumer protection provisions included; penalties authorized.	No provision.
	BINGO § 849.0931(2)(c), FS	
43	Allows veterans’ organizations to use electronic tickets rather than or together with instant bingo paper tickets per other requirements of the bingo law. Electronic tickets must be certified by nationally recognized independent gaming lab.	No provision.
44	Only authorized at premises owned or leased by a veterans’ organization.	No provision.
	EFFECTIVE DATE	
45	Provisions relating to 2015 compact approval, amendment and ratification are effective upon becoming a law. ALL OTHER PROVISIONS OF THE BILL, effective: <ul style="list-style-type: none"> • Only if 2015 Gaming Compact, as amended as required by the bill, is approved by the U.S. Department of Interior pursuant to the IGRA. • On date that the approved compact is published in the Federal Register. 	Pre-approves and ratifies a 2017 Compact provided that it (1) is executed in identical form by the Governor and Tribe and (2) goes into effect on or before January 1, 2018. All other sections of the bill become effective on July 1, 2017, independent of the 2017 Compact.