

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61D-11.001 Definitions.

- (1) "Button" means a circular object moved clockwise around a poker table to denote an imaginary dealer.
- (2) "Chips or tokens" means a money substitute, redeemable for cash, issued and sold by a cardroom operator for use in cardroom games.
- (3) "Drop" means the total amount of money, chips, and tokens removed from the drop box.
- (4) "Drop Box" means a locked container permanently marked with the number corresponding to a permanent number on the card or domino table.
- (5) "Facility" means the cardroom, any storage area for card or domino tables, cards, chips, tokens, dominoes, drop boxes, tip boxes, records relating to cardroom activity, and other cardroom supplies, the count room and imprest bank.
- (6) "Imprest bank" means the total amount of chips, tokens, and U.S. currency segregated for cardroom operation.
- (7) "Imprest tray" means an area on a card table in which a predetermined dollar amount of chips, tokens, or U.S. currency is kept by the dealer.
- (8) "Jackpot" – A jackpot occurs when the cardroom operator or the cardroom management company deducts from each hand, round, or game played a certain amount or charges a certain amount which is accumulated and placed in a separate fund from the pot and paid out when a desired result is achieved by a player ~~or players. The term "jackpot" does not include any game authorized under Section 849.086, F.S.~~
- (9) "Licensee" means a person holding any license issued by the division for purposes of cardroom operations.
- (10) "Pot" means the total amount wagered in a game or series of games of poker. ~~Wagering into the pot shall be conducted as provided by Section 849.086(8), F.S.~~
- (11) "Proposition player" means a player who is employed by a cardroom licensee, but who uses his own money to initiate or play in card games.
- (12) "Shill" means a player in a game provided by or employed by a cardroom licensee who only bets with money provided by the cardroom operator.
- ~~(12) "Tournament" means any competition involving a series of games of poker, consisting of more than one betting round involving more than one table, where the winner of the competition and runners up may receive a prize or cash award.~~
- (13) "All-in" means a term used when a player may commit all chips into the pot. When a player has no more chips, a side pot may be created, in which the player has no interest. The player can win the pot into which the "all-in" chips were placed, while having no benefit from in the side pot(s).
- (14) "Ante" means a predetermined wager which each player is required to make in some poker games prior to any cards being dealt in order to participate in the round of play.
- (15) "Bet" means an action by which a player places gaming chips into the pot on any betting round, a wager.
- (16) "Betting round" means a complete wagering cycle in a hand of poker after all players have called, folded, checked, or gone all-in.
- (17) "Raise" means to increase the size of the preceding bet.
- (18) "Round of play" means, for any game of poker, the process by which cards are dealt, bets are placed and the winner of the pot is determined and paid in accordance with the rules of this subchapter.
- (19) "Replenishment of chips" means when a player in a game purchases additional chips above the minimum required and no more than the maximum allowed in the poker table game being played.
- (20) "Re-buy" means the additional chips purchased by players according to the posted schedule of re-buys during tournament play.
- (21) "Buy-in" means the amount of money required by the cardroom operator to enter and participate in a game.
- (22) "Playing light" means drawing chips or tokens from the pot to show how much a player owes when out of chips or tokens in an effort to allow a player to continue without chips, until more chips are earned.
- (23) "Cardroom surveillance" means the capability to observe and electronically record activities being conducted in a cardroom facility.
- (24) "Dedicated camera" means a color video camera that continuously records a specific activity.
- (25) "PTZ Camera" means a light-sensitive video camera which possesses, at a minimum, pan, tilt, and zoom capabilities or features comparable thereto.
- (26) "Surveillance room" means a secure location in a cardroom facility used primarily for cardroom surveillance.
- (27) "Surveillance system" means a system of video cameras, monitors, recorders, and other ancillary equipment used for cardroom surveillance.
- (28) "Business Entity" means a sole proprietorship, general or limited partnership, corporation, business trust, joint venture, or unincorporated association.
- (29) "Blind" is a set amount a player or players must post before the cards are dealt.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New 1-7-97, Amended 5-9-04,_____.

61D-11.002 Cardroom Games.

(1) Those games authorized by Section 849.086(2)(a), F.S., are the only games authorized for play at ~~pari-mutuel facilities licensed to conduct cardroom operations.~~

(2) The cardroom operator or management company shall furnish all cards, dominoes, chips and tokens. ~~Failure by a cardroom operator or cardroom management company to redeem chips or tokens for their cash value shall be a violation of these rules.~~

~~(a) The deck(s) being used at a given table where any game is being played shall be provided by the licensee. The design on the backs of the cards in the deck must be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards may contain a logo. The backs of the cards in the deck must be designed to eliminate the ability of any person to place concealed markings on them. No cardroom operator may use cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed.~~

~~(b) The cardroom operator shall provide a dealer for each table at the licensed cardroom operator's facility. The dealer may not make a bet or otherwise wager on any game at the licensed cardroom facility where that dealer is employed.~~

(3) The cardroom operator shall post a listing of all authorized games available for play in the cardroom.

(4) A copy of the rules of play including wagering requirements shall be maintained by the cardroom operator and be made available to the division or to players upon request.

(5) Each player in a poker game shall play the game solely to improve his or her chance of winning and shall take no action to improve another player's chance of winning.

(6) A player may not communicate any information to another player which could assist the other player in any manner respecting the outcome of a poker game.

(7) A cardroom licensee which has reasonable cause to believe that a player has acted or is acting in violation of (5) or (6) above may require the player to leave the game and shall notify the division in writing on the next available state business day.

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

61D-11.003 Card-Play Hands.

(1) The ranking of cards in a hand shall be consistent with the rules of Hoyle's Modern Encyclopedia of Card Games, 1974 Edition ~~or the modified rules of the game as submitted to the division by the cardroom operator and approved by the division.~~

(2) ~~At the discretion of the house, the joker may be used in poker as an ace, as any other card not already in the player's hand to complete a straight flush, a flush, or a straight, or as the lowest card not already in the player's hand. If the use of the joker is to be used in certain games, the house must post in which games it will be utilized, and how it will be ranked in a showdown.~~

~~(3) If the house elects to utilize a set fee as a rake for the purpose of payment for a player to participate in a game, it shall be collected as the ante for each hand, by placing chips or tokens equaling the ante in front of the player on the table before the first card of the game is dealt. The dealer must sweep the ante and place it in a designated rake circle or drop slide until a winner is declared, and then dropped into the drop box. The amount of the ante shall be established by the house, and be conspicuously posted for the players to see.~~

~~(34) Before a game of the play, the dealer must, in front of the players, manually or by use of a mechanical card shuffler shuffle the cards so that they are randomly intermixed.~~

~~(45) Cards must be dealt out of the hand of the dealer. A "button" may be utilized, and moved around the table clockwise, player to player, so that the player who has the button receives the advantage of playing and betting last.~~

Specific Authority 550.0251(12), 849.086(4), (8), (10) FS. Law Implemented 849.086 FS. History–New 1-7-97, Amended _____.

61D-11.004 Dealer Responsibilities.

(1) ~~The House provided dealer shall be responsible to ensure that each bet or raise does not exceed \$2 in value.~~

~~(2) A dealer shall not allow a bet or raise amount, or the number of raises in a round of betting, to exceed the limits imposed by Section 849.086(8)(b), Florida Statutes. In addition, the dealer shall also be responsible for ensuring that no more than three raises are made in any round of betting.~~

~~(2) In games of Texas Hold'em played pursuant to Section 849.086(8)(b), Florida Statutes, a dealer shall not allow a player to:~~

~~(a) replenish their chips or tokens in an amount that would allow the player's aggregate chips or tokens to exceed \$100;~~

~~(b) replenish their chips or tokens in amounts other than multiples of \$20; or~~

~~(c) replenish their chips or tokens until the player's aggregate chip amount has been reduced below \$100.~~

~~A dealer failing to comply with control of bet value and number of raises is subject to the following penalties:~~

~~(a) First offense—\$50.00 and/or 1 day suspension.~~

~~(b) Second offense—\$250.00 and/or 5 day suspension.~~

~~(c) Third offense—\$500.00 and/or suspension, not to exceed 10 days.~~

~~(d) Fourth offense—Will result in a 1 year suspension of the cardroom employee's occupational license.~~

~~(e) Any dealer who does not have a violation within 2 years from his/her most recent violation will revert to a "first offense" penalty for his/her next violation of this provision.~~

~~(32) Dealers shall not be allowed to regularly deal at the same table, and will be rotated shifted to a different table at least every three hours.~~

~~(43) When a new dealer comes on duty at a card table, the new dealer must count all of the cash and chips or tokens in the imprest tray before accepting responsibility for it, or the new dealer must supply his or her own imprest tray.~~

~~(54) A dealer who receives currency from a player at a card table in exchange for chips or tokens must perform the following:~~

~~(a) The currency must be spread the currency on the top of the card table by the dealer;~~

~~(b) State the amount of currency received must be stated by the dealer accepting it;~~

~~(c) Provide Immediately after an equivalent dollar amount of chips or tokens has been given to the player; and~~

~~(d) the cash shall be placed the cash in the table's imprest tray.~~

~~(5) The dealer may not make a bet or otherwise wager on any game at the licensed cardroom facility where that dealer is employed.~~

~~(6) Dealers shall only take breaks in areas designated by the cardroom operators in their internal controls.~~

~~(7) Dealers shall only accept tips while dealing at an assigned table by collecting them in their tip box. A dealer shall not accept a tip at any time he or she is not seated at the table, unless the supervisor is notified, and the tip is counted with all other earned tips for the shift.~~

~~(8) Dealers shall not allow cash or any other personal items to be placed on a table during the play of any game or hand.~~

~~(9) Dealers shall manage the retirement of all cards, chips, or tokens, as stated in the internal controls.~~

~~(10) Dealers shall employ the common method of displaying the front and back of their hands, with fingers spread, for surveillance cameras after every transaction.~~

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04,_____.

61D-11.005 Prohibitions.

(1) No person shall introduce ~~into the game~~ any cards, chips, dominoes, or tokens other than those from the cardroom operator's facility.

(2) No cardroom operator or licensee shall extend credit, make a loan or grant a gift to any person which would enable that person to play ~~in an authorized card game~~. The consideration required to participate ~~in any card game~~ shall be collected in full, by cash or check, in exchange for chips or tokens prior to participation ~~at a licensed facility~~.

(a) Only cash shall be used to purchase chips or tokens at card tables. However, regular play chips may be converted to tournament chips.

(b) The practice of playing "light", ~~or drawing chips or tokens from the pot to show how much a player owes when out of chips or tokens~~, is prohibited. ~~The player shall be required to purchase additional chips or tokens in order to proceed playing.~~

(3) No device, apparatus, mechanism or thing which may give a participant in a card game an advantage over any other participant in that game may be used by any person.

(4) Side bets on the outcome of games are prohibited.

~~(a) Only persons actually playing in the card game may wager upon the outcome of the game.~~

~~(b) Wagers by persons other than those playing, which in any way involves the outcome of the game, or any aspect of the game, are prohibited.~~

~~(45) No person shall, either directly or indirectly:~~

~~(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a card game, or the cardroom operator.~~

~~(b) Engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any participant in a game, or any cardroom operator.~~

~~(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator to gain an advantage in the game over a participant(s) or cardroom operator.~~

~~(56) Cardroom occupational licensees are prohibited from participating in card games, at the licensed cardroom facility where they are employed.~~

~~(67) No player shall be allowed to exceed the limitations on the replenishment of chips pursuant to Rule 61D-11.004(2), F.A.C.~~

~~(7) No person shall knowingly engage in conduct that resists, obstructs, or opposes a division employee in the performance of his or her duties and responsibilities on the cardroom operator's premises.~~

~~(8) No licensee shall carry or exhibit a weapon other than as provided for in Chapter 790, F.S. Any licensee found in violation of this rule shall be disciplined in accordance with Chapter 849, F.S., and the rules promulgated thereunder. This rule does not prohibit the carrying of a weapon by any duly authorized law enforcement officer or security personnel who are licensed to carry a weapon while engaged in their duties, or persons licensed under Chapter 790, F.S., to carry concealed weapons.~~

~~(9) Jackpots are prohibited.~~

~~(40) Shills and proposition players are prohibited.~~

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04,_____.

61D-11.006 Inspection of Premises, Records.

(1) No less than 10 days prior to opening a new cardroom, or amending an existing cardroom area such as changing the number of tables, surveillance system, internal controls, or floor plan, the cardroom licensee shall contact the division for an inspection for compliance with the provisions of Section 849.086, Florida Statutes, and Rule 61D-11, F.A.C.

(a) If it is determined that the cardroom licensee is not in compliance, the division shall provide the cardroom licensee with a written list of deficiencies;

(b) The cardroom licensee shall advise the division when the deficiencies have been corrected. The division shall conduct a follow up inspection no earlier than 7 days from the date of the inspection from which the deficiencies were determined;

(c) A cardroom licensee shall not open a new facility, or the affected portion of an existing cardroom for which the licensee has made notice of any proposed changes, until the division acknowledges in writing that all deficiencies are resolved.

~~(3) At any time during a cardroom operator's regular business hours, any Division of Pari-Mutuel Wagering personnel shall be allowed to enter into the cardroom and any cardroom related areas used in conjunction therewith, and:~~

~~(a)(4) Observe any a count of ~~all~~ monies received during the operation of the cardroom, a count of ~~all~~ chips or tokens, ~~currency~~, and drop boxes, for the purpose of reconciliation, and inspect any ~~all~~ receipts, reports, and records used in conjunction with the operation of ~~the said cardroom activity~~;~~

~~(b)(2) Inspect any records of the cardroom operator or licensees that relate in any way to the operation of a cardroom, or any employee of the licensee that relates in any way to the operation of a cardroom;~~

~~(c)(3) Check that licenses are prominently displayed, and that the cardroom is being operated in compliance with Section 849.086, F.S., and the rules promulgated thereunder; or~~

~~(d)(4) Inspect cardroom devices and recording equipment, including such used for security and surveillance as required by Rule 11.025, F.A.C., to ensure compliance with Section 849.086, F.S., and the rules promulgated thereunder.~~

~~(e) Ensure the surveillance cameras and equipment are configured so that the division has full access and may direct the surveillance of particular activities or persons; or.~~

~~(5) Inspect the cardroom facility for violations of Section 849.086, F.S., and the rules promulgated thereunder.~~

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04,_____.

61D-11.007 Cardroom Operator License.

~~(1) Each cardroom gaming licensee desiring to move their cardroom license, so as to change the location of the cardroom, shall first transfer in accordance with Chapter 550, F.S., the corresponding pari-mutuel wagering permit that entitles the permitholder to operate a cardroom.~~

~~(a) Upon approval of the transfer of the pari-mutuel permit, the pari-mutuel permitholder shall submit proof that a referendum was held in the county where the cardroom is to be operated and show that the majority of the electors voting on the referendum have approved the transfer to the new location.~~

~~(b) The proof of a majority vote of the electors shall consist of The Board of County Commissioners certifying the election results and making them known to the division in writing.~~

~~(c) The division shall transfer, without requirement of a referendum election, the cardroom license of any permitholder that relocated its permit pursuant to Section 550.0555, F.S.~~

~~(2) No cardroom may be operated at a licensed pari-mutuel facility unless a valid cardroom license has been issued by the division to a licensed pari-mutuel permitholder. Cardroom activities shall only be conducted at the same facility where pari-mutuel wagering is authorized under the pari-mutuel wagering license.~~

~~(3) Cardroom licenses shall be renewed annually in conjunction with annual applications for pari-mutuel licenses, provided the applicant requests, as part of the pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued or the state fiscal year immediately prior thereto.~~

~~(1) (4) If a pari-mutuel permitholder amends its pari-mutuel license and such amended license does not satisfy the renewal application requirements required by this rule and Section 849.086(5)(b), F.S., the cardroom license will become void upon the issuance of the amended pari-mutuel license.~~

~~(2) (5) An applicant for an annual cardroom license shall complete Form DBPR PMW-3160, Permitholder Application for Annual License to Operate a Cardroom, adopted and incorporated by Rule 61D-12.001, F.A.C., and submit a fee of \$1,000.00 for the first card table and \$500.00 for each additional card table to be operated during the license period. For cardroom facilities at which more than one pari-mutuel permit is operated during a year, table fees for the facility may be paid by one or all of the permitholders. License fees are non-refundable. For the initial cardroom license application, in addition to the application and fees submitted, the applicant shall submit its written internal control system, required by Rule 61D-11.019, F.A.C., for approval by the division, and proof of authorization by a local government pursuant to Section 849.086(16), F.S. No cardroom application shall be acted upon until the cardroom applicant's system of internal control has been approved by the division. If the cardroom operator elects to offer an authorized game that it did not include in its license application, it shall inform the division of the authorized game it will offer that was not included in its license application by filing Form DBPR PMW-3150, Notification of Authorized a-Card Game, adopted and incorporated by Rule 61D-12.001, F.A.C.~~

~~(3) (6) No license application, amendment to an application, or amendment to request additional cardroom tables shall be effective until payment of applicable license fees have been received by the division and the division has issued a license or amended license to operate a cardroom.~~

~~(4) Cardroom operations shall not begin under a cardroom license until:~~

~~(a) The cardroom has been inspected and approved under Rule 61D-11.006, F.A.C.; and,~~

~~(b) Live or intertrack pari-mutuel wagering activities are being conducted at the cardroom licensee's pari-mutuel facility.~~

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

61D-11.008 Cardroom Business Occupational License.

(1) As part of the initial application or renewal for a cardroom employee occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) A complete Form DBPR PMW-3130, Business Occupational License Application, for an initial cardroom business license, adopted and incorporated by Rule 61D-12.001, F.A.C.;

(b) The \$250.00 cardroom business occupational license fee;

(c) A complete set of fingerprints for each person listed in paragraph (2)(a) on a pari-mutuel wagering applicant fingerprint card and fingerprint processing fee as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, upon initial application and every five years thereafter;

(d) All administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and each complaint, pleadings and any final order, judgment, or other final judicial disposition for each administrative, civil or criminal proceeding disclosed; and

(e) All judgments entered as the result of any administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and each complaint, pleadings and any final order, judgment, or other final judicial disposition for each administrative, civil or criminal proceeding disclosed.

~~(2) (1) A No-cardroom operator may not do business with any cardroom management company or cardroom or domino distributor that does not hold a current valid cardroom business occupational license.~~

~~(3) (2) A corporation, general or limited partnership, sole proprietorship, business trust, joint venture, or unincorporated association, or other business entity may not be issued or hold a cardroom business occupational license in this state if any one of the persons or entities specified in paragraph (a) has been determined by the division not to be of good moral character, to have filed a false report to any government agency, pari-mutuel wagering or gaming commission or authority, or has been convicted of any offense specified in paragraph (b).~~

~~(a) 1. The cardroom business occupational licensee;~~

~~2. An employee of the licensee;~~

~~3. The sole proprietor operating under the license;~~

~~4. A corporate officer or director of the licensee;~~

~~5. A general partner of the licensee;~~

~~6. A trustee of the licensee;~~

~~7. A member of an unincorporated association of the licensee;~~

~~8. A joint venturer of the licensee;~~

~~9. The owner of more than 5 percent of any equity interest in the licensee, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary; or~~

~~10. An owner of any interest in the licensee, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licensee, who by virtue thereof is able to control the business of the licensee.~~

~~(b) 1. A felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state or under the laws of the United States; or~~

~~2. A felony or misdemeanor set forth in Section 550.105, F.S.~~

~~(4) (3) If the applicant for a cardroom business occupational license has received a full pardon or a restoration of civil rights in accordance with Florida law and pursuant to Section 944.292, F.S., with respect to the conviction specified in paragraph (3)(b), the conviction does not constitute an absolute bar to the issuance or renewal of a license or grounds for the revocation or suspension of a license, if the applicant has received a full pardon or a restoration of civil rights in accordance with Florida law and pursuant to Section 944.292, F.S.~~

~~(5) (4) After notice, the division may shall refuse to issue or renew or shall suspend or revoke, as appropriate, any licensee or applicant found in violation of paragraph (3)(b).~~

~~(5) All applicants for a cardroom business occupational license or renewal thereof shall be required to pay a Florida Department of Law Enforcement fingerprint processing and criminal record check fee for each person or entity as specified in paragraph (2)(a) as follows:~~

~~(a) All applicants, upon initial application, shall pay for a Florida Department of Law Enforcement fingerprint and criminal record check fee; and~~

~~(b) Every five years after the initial license application, the applicant for a renewal license shall be subject to and pay for a Florida Department of Law Enforcement fingerprint and criminal record check fee.~~

~~(6) All applicants for a new cardroom business occupational license are required to submit a set of fingerprints to be taken by house security, or by a law enforcement agency, and processed through the Florida Department of Law Enforcement, and the Federal Bureau of Investigation and every 5 years thereafter. Certified Florida Law Enforcement officers are exempt from the fingerprint requirement.~~

~~(7) An applicants for an annual cardroom business occupational license shall complete Form DBPR PMW 3130, Business Occupational License Application, adopted and incorporated by Rule 61D 12.001, Florida Administrative Code, and submit the \$250.00 fee for an annual cardroom business occupational license.~~

~~(8) Cardroom business occupational licenses shall expire on June 30th of every year.~~

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

61D-11.009 Cardroom Employee Occupational License.

(1) As part of the initial application or renewal for a cardroom employee occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) A complete Form DBPR PMW-3120, Individual Occupational License Application, for an initial cardroom employee

license, adopted and incorporated by Rule 61D-12.001, F.A.C.;

(b) A complete set of fingerprints on a pari-mutuel wagering applicant fingerprint card and fingerprint processing fee as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, upon initial application and every five years thereafter;

(c) The \$50.00 cardroom employee occupational license fee;

(d) All administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and each complaint, pleadings and any final order, judgment, or other final judicial disposition for each administrative, civil or criminal proceeding disclosed; and

(e) All judgments entered as the result of any administrative, civil or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, F.S., and each complaint, pleadings and any final order, judgment, or other final judicial disposition for each administrative, civil or criminal proceeding disclosed.

(2) (a) Applicants who intend to work in a position for cardroom licensing for positions providing food service, maintenance, and security, mutuels, and/or in permitholder management, who do not hold a current pari-mutuel wagering occupational license shall be required to submit Form DBPR PMW 3120, Individual Occupational License Application, adopted and incorporated by Rule 61D-12.001, F.A.C., and apply for a pari-mutuel wagering/cardroom combination occupational license by submitting items (a) through (e) listed above.

(b) All applicants in paragraph (1)(a), upon initial application, and every five licensing years shall pay for a Florida Department of Law Enforcement fingerprint and criminal record check fee.

(2) All applicants for a new or renewal of a cardroom employee occupational license, shall complete Form DBPR PMW-3120, Individual Occupational License Application, adopted and incorporated by Rule 61D-12.001, F.A.C., and submit \$50.00 for the cardroom employee occupational license.

(3) In addition to the annual license fee, each applicant shall pay a Florida Department of Law Enforcement fingerprint processing and criminal record check fee as follows:

(a) All applicants, upon initial application, shall pay for a Florida Department of Law Enforcement fingerprint and criminal record check fee.

(b) Every five years after the initial license application, the applicant for a renewal license shall be subject to and pay for a Florida Department of Law Enforcement fingerprint and criminal record check fee.

(3) All applicants for a new cardroom employee occupational license are required to submit a set of fingerprints to be taken by house security, or by a law enforcement agency, and processed through the Florida Department of Law Enforcement, and the Federal Bureau of Investigation and every 5 years thereafter. Certified Florida Law Enforcement officers are exempt from the fingerprint requirement.

(4) All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error. The division will return the licensing fee if or the applicant withdraws the application before processing begins.

(5) Request for Waiver shall be made on Form DBPR PMW-3180, Request for Waiver, adopted and incorporated by Rule 61D-12.001, F.A.C.

(6)(5) Prior to transferring, a current pari-mutuel wagering occupational licensee, who intends to work in a position will be performing food service, maintenance, security, mutuel teller, and/or permitholder management duties in the cardroom, mutuel teller or pari-mutuel management, the cardroom operator must notify the division Chief Inspector, and shall upgrade his or her current pari-mutuel license to a pari-mutuel/cardroom combination license on Form DBPR PMW-3170, License Upgrade Application, adopted and incorporated by Rule 61D-12.001, F.A.C.

(7) Cardroom employee occupational licenses shall expire on June 30th of every year.

(8) Cardroom employees shall have their pari-mutuel wagering or cardroom employee occupational license in their possession at all times while on duty in the cardroom.

Specific Authority 550.0251(12), 849.086(4), (5), (6) FS. Law Implemented 849.086(6) FS. History--New 1-7-97, Amended 5-9-04, 3-4-07,_____.

61D-11.011 Notification of Criminal Conviction or Charge.

Any cardroom business-occupational licensee or cardroom employee occupational licensee shall provide must make written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense eriminally convicted, found guilty of, or pled no contest to a felony or misdemeanor as set forth in paragraph 61D-11.008(2)(b), F.A.C., within three days of the arrest or if not arrested, three days of the receipt of a charging document finding. Licensees are not required to report non-criminal traffic offenses.

Specific Authority 550.0251(12), 849.086(4), (14) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended _____.

61D-11.012 Duties of Cardroom Operators.

(1) All ~~licensed~~ cardroom operators must post conspicuously at each card table the rake amounts, time limitations, or other rake procedures, and the minimum and maximum bet limits establish and maintain written internal controls to comply with Section 849.086, F.S., and the rules promulgated thereunder. The written internal control system must be submitted as part of the initial license application, and approved or disapproved with comments by the division within 30 days of receipt of the written internal controls.

(2) Cardroom operators shall ~~maintain, prior to the initial opening of business, provide the division with a roster written list of all persons, including birth dates and social security numbers, actively employed by the cardroom operator which shall include for each employee:~~ The cardroom operator shall furnish

(a) ~~the job title;~~ of its employees, and provide a weekly payroll listing of all cardroom employees that worked during that payroll period;

(b) ~~including their full name;~~ and

(c) ~~occupational license number; and social security number, but may exclude compensation~~

(d) a weekly listing of all cardroom employees that worked during each week.

(3) Cardroom operators shall ~~maintain a current log~~ provide a weekly list of persons whose employment with the cardroom operator has been terminated, resigned or abandoned that includes:

(a) name;

(b) occupational license number; and

(c) a description for the reason of the employee's termination.

(4) As part of the initial license application, the cardroom operator shall provide a listing of all business entities distributors and cardroom management companies that are providing products or services to the cardroom. The division shall be notified ~~in writing~~ on Form DBPR PMW-3220, List/Notice of Change of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, adopted and incorporated by Rule 61D-12.001, Florida Administrative Code, of any change in companies providing said services within 10 days of such change.

(5) ~~Cardroom operators shall install electronic surveillance equipment to record all activity in the cardroom bank and cage and count area. Surveillance cameras and monitors shall be able to record and observe in color or black and white.~~

(a) ~~Tapes and other electronic media storage shall be labeled in chronological order by date and time.~~

(b) ~~Tapes and other electronic media storage of surveillance records shall be maintained for a period of no less than 14 days and shall be kept for a longer period of time if requested by the division or any law enforcement agency.~~

(6)(a) The cardroom operator must display the hours of operation in a conspicuous location ~~the hours of operation of in~~ the cardroom.

(a) Days and hours of cardroom operations shall be those set forth in the application or renewal of the cardroom licensee. Changes to days and hours of cardroom operation shall be submitted to the division at least 10 days prior to implementation.

(b) A day shall be the continuous period of 24 hours starting with the beginning of operations as indicated in (c) of this rule.

(c) Activities such as the buying or cashing out of chips, seating customers, or completing tournament buy-ins or cash-outs may be done one half hour prior to or one hour after the cumulative 12 hour designated hours of operation. No playing of authorized games, or any card or domino handling, shall be done except during the established cumulative 12 hour period of operation.

(d)(b) A cardroom licensee must display the following restrictions in a conspicuous location ~~the following restrictions for~~ players:

1. A player must be at least 18 years of age;

2. No side bets are permitted; and

3. No credit is extended by the house.

(67) Cardroom operators are required to issue a photo identification I.D. to all cardroom employees which shall include, ~~but not be limited to~~ the name of the cardroom facility, cardroom employee occupational license number, and expiration date of the license.

(78) ~~If a management company is managing cardroom operations, t~~The cardroom operator must provide written notice to the division within 20 days of ~~any~~ change in any the management company contract.

(89) Cardroom operators shall establish an imprest banking system for cardroom operations.

(940) At the close of each shift, the currency, chips and tokens in the imprest tray at each ~~card~~ table shall be reconciled to their ~~predetermined~~ beginning balances.

(a) ~~The last dealer shall be responsible for the currency, chip and token balance in his/her tray.~~

(b) ~~The cardroom operator will document any discrepancies in the reconciliation of the imprest trays or bank on Form DBPR PMW 3650, Cardroom Daily Control Sheet, adopted and incorporated by Rule 61D 12.001, Florida Administrative~~

Code:

~~(1011) At the end of each shift, or the close of a table, the drop box must be locked away in a secure location until the count takes place.~~

~~(1112) The cardroom operator shall provide a dealer for each active card table. The count of card table revenue must be performed in compliance with the requirements set forth in the "Minimum Internal Control Standards." Each drop box must be accounted for individually in a secure designated area. Two or more persons must verify the contents of the drop box when emptied.~~

~~(13) Card tables will be restricted to area(s) specified on the cardroom licensee application.~~

~~(12) Each cardroom operator shall establish benchmarks of drop per hour and tips per hour. Any benchmarks outside of 10 percent variance or which are investigated, must be noticed to the division.~~

~~(13) The cardroom operator shall provide a cardroom manager or supervisor who shall control all cardroom operations, count activity, and all cardroom employees.~~

~~(14) The cardroom operator shall provide at least one dominoes supervisor. A dominoes supervisor may not supervise more than six dominoes tables.~~

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

61D-11.013 Display of Identification and Possession of Duties of Cardroom Employee Occupational Licensees.

~~(1) All cardroom employee occupational licensees shall wear their photo identification pursuant to Rule 61D-11.012(7), F.A.C., I.D.'s while on duty. The I.D. shall be visible to players at all times. A cardroom employee shall not attempt to hide his or her photo identification from any patron or from surveillance cameras.~~

~~(2) Cardroom employees shall have their occupational license in their possession at all times while on duty.~~

Specific Authority 550.0251(12), 849.086(4), (5) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.014 Cards.

~~(1) The backs of all cards in the deck shall be designed to eliminate the ability of any person to place concealed markings on them.~~

~~(2) Cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed shall not be used.~~

~~(3) All cards must be plastic.~~

~~(4) When decks of cards are received for use in a cardroom, they must be stored in a locked cabinet, located in a secure location.~~

~~(2) Before the beginning of gaming during a shift or day, and as necessary during the hours of operation, the cardroom operator must open the cabinet and remove the appropriate number of decks of cards for that shift or day, distribute the decks to the dealer at each table, and place the extra decks in a locked card reserve.~~

~~(5)(3) Prior to their use, each deck must be inspected by the dealer. The dealer must check the back of each card to ensure that it is not cards are not flawed, scratched, or marked in any way.~~

~~(a) Cards damaged during the course of play must be replaced with a new deck.~~

~~(b) Cards found to be damaged when inspected, or that are damaged during play, must be placed in a sealed envelope or container, identified by table number, date and time, and must be signed or initialed by a supervisor or the dealer. Damaged cards shall be and retained by the cardroom operator for 30 days.~~

~~(c) Old cards which have been removed from play shall be permanently altered such that the cards could not be put back into play without being noticed.~~

~~(d) All decks opened for play on a poker table shall be rotated with new decks at least every six hours.~~

~~(e) If an automated card shuffling device is being used, a cardroom operator shall use two decks of cards, and:~~

~~1. The backs of the cards in the two decks shall be of different colors;~~

~~2. One deck shall be shuffled by the automated card shuffling device while the other deck is being dealt or used to play the game; and~~

~~3. Both decks shall be continuously alternated in and out of play, with each deck being used for every other round of play.~~

~~(6) Internal controls shall be established for the issuance of all cards to the shift supervisor, and the floor supervisors.~~

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.0145 Dominoes.

- (1) The backs of dominoes shall have a design that does not allow a player the ability to place concealed markings on the dominoes or to know the identity of any markings of the dots on either half of the face of the domino.
- (2) Dominoes that are taped, cut, shaved, marked, defaced, chipped, substituted from another set, or deformed shall not be used.
- (3) Dominoes shall have a symbol or marking that identifies the domino to the specific facility where it is used for play.
- (4) Sets of dominoes must be locked in a secure location.
- (5) Prior to use, each domino must be inspected by the dominoes supervisor to ensure that no domino is flawed, scratched, or marked.
 - (a) Dominoes damaged during the course of play must be replaced;
 - (b) Damaged, chipped or marred dominoes shall be replaced and handled in the same manner as damaged cards indicated in Rule 61D-11.014(5)(b), F.A.C.;
 - (c) Old dominoes which have been removed from play shall be handled in the same manner as damaged cards indicated in Rule 61D-11.014(5)(c), F.A.C.; and
 - (d) Only one set of dominoes shall be maintained at a table at a time. Each set of dominoes shall be rotated in and out of play at least every six hours.
- (6) Internal controls shall be established for the issuance of all dominoes to the shift supervisor, and the dominoes supervisors.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New _____.

61D-11.0149 Dominoes Supervisors.

- (1) The dominoes supervisor shall be responsible for oversight of the play of dominoes for the tables which includes:
 - (a) Collection of any fee for participation;
 - (b) Exchanging of cash for chips or tokens. Each cardroom operator providing dominoes for play at its facility shall provide internal controls for the interaction between the imprest bank and the dominoes supervisor;
 - (c) Inspection of the dominoes for compliance with Rule 61D-11.0145, F.A.C., before the set is made available for play; and
 - (d) Reporting of any side betting to management pursuant to internal controls.
- (2) A dominoes supervisor shall not allow a bet or raise amount, or the number of raises in a round of betting, to exceed the limits imposed by Section 849.086(8)(b), Florida Statutes.
- (3) Dominoes supervisors shall only take breaks in areas designated by the cardroom operator in their internal controls.
- (4) Dominoes supervisors shall not allow cash or any other personal items to be placed on a table during the play of any game or hand.
- (5) Dominoes supervisors shall manage the retirement of all dominoes, chips, or tokens, as stated in the internal controls.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New _____.

61D-11.015 Chips and Tokens.

- (1) ~~It shall be the responsibility of the cardroom operator to keep a~~All chips and tokens not in play; ~~shall be stored in a locked cabinet, located in a secured location.~~
- (2) Internal controls shall be established for the issuance of all chips and tokens or cards to the shift supervisor (pit boss), ~~and the floor supervisors.~~
- (3) ~~Daily records must be kept for a~~All chips and tokens issued ~~including from storage shall be maintained with a record of the date, time, table to which they were issued, the denomination(s), and total value on Form DBPR PMW 3650, Cardroom Daily Control Sheet, adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.~~
- (4) ~~The side of each c~~Chips ~~or and~~ tokens must include:
 - (a) The name of the ~~facility that issued in the cardroom, on each side of the chip or token.~~ Names of other facilities shall not be displayed on a chip or token;
 - (b) The value of the chip or token ~~must be inscribed on each side of the chip or token;~~
 - (e4) ~~A chip must be designed so that when stacked with chips and tokens of other denominations and viewed, t~~The denomination of ~~the chips~~ must be distinguishable from ~~that of the other chips or tokens~~ when in the stacked.
- (5) Chips or tokens purchased at a cardroom facility shall be redeemed by the operator for the appropriate cash value.
- (6) Records documenting the inventory of tokens and chips shall be current and accurate.

Specific Authority 550.0251(12), 849.086(4), (8) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 4-12-06.

61D-11.016 Card and Domino Tables.

(1) ~~Card Cardroom operators shall utilize card tables~~ shall have, with a clearly designated rake circles, ~~an~~ imprest trays, tip box slots and drop box slots. In lieu of a rake circle on a card table, a drop box slide may be utilized.

(2) Domino tables shall be square with clearly designated areas located at each corner of the table for the placement of wagers and the payment of participation fees. The surface of the dominoes table shall be one solid color that will not interfere with the ability of the surveillance system to clearly identify each domino played or the value of chips or tokens in the wagering area. There shall be no imprest tray on a domino table.

(3) Card games shall only be played on card tables.

(4) Dominoes shall only be played on domino tables.

(5) ~~Each card-table shall be clearly designated with the number of the table,~~ which shall be visible to the surveillance system.

(6) At no time may a cardroom contain more tables for which the cardroom operator has been licensed. Unused and unlicensed tables must not be stored inside of the cardroom, but may be in designated non-public areas for the purpose of dealer training, or may be in other storage areas with no potential for official card play.

Specific Authority 550.0251(12), 849.086(4), (8), (10) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.017 Admissions Requirements.

(1) ~~When a separate admissions fee is charged to enter the area of the facility designated as the cardroom, a record of total taxable admissions shall be compiled by the cardroom operator and provided to the division for each performance.~~

(2) ~~When a separate admissions fee is charged to enter the area of the facility designated as the cardroom, the cardroom operator is permitted to provide tax paid admissions through the use of complimentary passes. The tax to be paid by the cardroom operator for such complimentary passes shall be equal to the tax imposed on a regular and usual admission charge. In the case of promotional events wherein the general public is admitted free of charge, the tax to be paid by the licensed cardroom operator shall be 10 cents per entrant.~~

(3)(a) ~~Tax exempt admission may be provided to officers, officials, employees holding cardroom employee occupational licenses who work at the facility, as well as representatives of the press.~~

(b) ~~Individuals receiving tax exempt admission shall be issued a pass by the cardroom operator which shall be displayed for entry. Tax exempt passes are not transferable and holders of the passes shall not allow their use by any other individuals.~~

(4) ~~Each cardroom operator shall record cardroom admissions similarly to regular admission to the facility and shall file with the division a report of the admission information. Any cardroom operator that wishes to charge admission fees shall notify the division in writing at least 2 working days prior to the effective date of such change via facsimile.~~

(5) ~~Each licensed cardroom operator shall file a sample of each type of cardroom admission ticket with other required documentation for Form DBPR PMW 3520, Notification of Pari Mutuel Operations, adopted and incorporated by Rule 61D-10.001, F.A.C. Such samples shall include one copy of each type of non promotional taxable pass issued by the cardroom operator, as well as one copy of each type of tax exempt pass.~~

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), (i) FS. History—New 6-25-06.

61D-11.0175 Count Rooms and Count Procedures.

(1) At the close of each shift, but not less than once daily, the cardroom operator shall:

1. Count and record on the Daily Control Sheet the amount of chips or tokens and currency for each table;

2. Make a fill or credit to bring the imprest tray back to its beginning balance;

3. Document beginning and ending inventories if final fills are not made;

4. Verify that the beginning and ending inventories are made by a supervisor; and

5. Ensure that drop boxes are removed from tables and transported immediately to the count room or other secure area, by two employees, one of whom shall be independent of the supervisor of the shift that is being dropped.

(2) The cardroom licensee shall have within its facility a count room used exclusively for counting of funds received from all types of wagering operations. Counts conducted for cardroom operations shall be performed at separate times and

independent of counts from pari-mutuel or slot operations.

(3) The count room shall include:

(a) Reinforced doors equipped with locks and a device which signals the surveillance monitoring room and the security department whenever a door is opened;

(b) Tables for counting chips or tokens;

(c) Surveillance equipment as referenced in Rule 61D-11.025(4)(a), F.A.C.; and

(d) A fixed door type or hand-held metal detector to inspect all persons exiting the count room.

(4) Pre-count requirements in the internal controls shall include:

(a) Securing cash, chips and tokens from a previous count before another count begins;

(b) Procedures providing for a count team including a supervisor and at least two team members, with one team member being the count recorder. Count team members shall be rotated on a routine basis. The rotation shall be such that the team is not the same three individuals more than three days per week;

(c) That all persons present in the count room during the counting process wear outer garments, which must be a full-length, one-piece, pocket-less garment with openings for the arms, feet, and neck only;

(d) That no person present carry any items into the count room; and

(e) That the count room supervisor record the name and license number of each member of the count team, as well as any entries and exits of the count room during the process by any persons, in writing.

(6) Count process requirements in the internal controls shall include:

(a) Dual count and reconciliation;

(b) Segregation of cash, chips, or tokens and resolving any discrepancies;

(c) Handling of torn or mutilated cash, chips, or tokens;

(d) Utilization of counting machines;

(e) The method for emptying the contents of each drop box on the count table to be counted separately;

(f) That the drop box and the inside of the drop box be held up to the full view of a surveillance camera, after which the drop box shall be locked and placed in the storage area for drop boxes;

(g) The recording of information by a count team member of the following:

1. The table number to which the drop box contents correspond;

2. The value of each denomination of currency or chips counted;

3. The total value of all denominations of currency or chips counted; and

4. The gaming date of the items being recorded and the total number of all drop boxes opened and counted.

(h) The reconciliation of the daily chip count records to the totals on the Monthly Remittance Reports required in Rule 61D-11.018(2), F.A.C.

(i) That the doors to the count room remain locked except to allow authorized entrance to individuals as stated in the internal controls;

(j) That all count team members secure all of the cash, chips or tokens in the count room if a count team member leaves the count room. All count team members shall be screened before leaving the count room. No count team member shall be in the count room alone. The count team members shall not re-enter the count room until all count team members are present;

(k) The signing of reports of the count by the count team members and the count room supervisor;

(l) The reconciliation of copies of orders to fill to the count sheets;

(m) The tracing of opening and closing inventory forms to the count sheets; and

(n) Making corrections to information originally recorded by the count team or to soft count documentation by crossing out the error, entering the correct figure, and entering the initials of at least two count team members who verified the change.

(7) Post-count requirements in the internal controls shall include:

(a) The presentation of all cash, chips and tokens in the count room to an employee who verifies the cash, chips and tokens in accordance with the cardroom licensee's internal controls;

(b) The transportation of the verified and signed count documents directly to the accounting department for calculation and recording of the total drop for that gaming day; and

(c) The inspection of the entire count room and all counting equipment by the supervisor to verify that no cash, chips, or tokens remain in the room.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), (i) FS. History—New _____.

61D-11.018 Reporting Requirements to Determine Net Proceeds.

~~(1) Every licensed pari mutuel facility operating a~~ Each cardroom operator shall maintain a hard-copy of permanent monthly records of all financial transactions directly or indirectly related to the cardroom activities. ~~All transaction data must be maintained on the premises of the cardroom operator.~~ Each record shall include, but not necessarily be limited to all details

of the following:-

~~(2) Each thoroughbred and harness horse racing permit holder who is licensed to engage in cardroom activity shall keep records that clearly show a statement of assets, liabilities, operating revenues and expenses and net proceeds to determine distributions to purses and breeders' awards, as required by Section 849.086(13), F.S.~~

~~(3) Every licensed cardroom operator shall file Form DBPR PMW-3640, Cardroom Monthly Remittance Report, and Form DBPR PMW 3650, Cardroom Daily Control Sheet, both adopted and incorporated by Rule 61D-12.001, Florida Administrative Code, with the division by the fifth day of each calendar month for the preceding calendar month's cardroom activity.~~

Specific Authority 550.0251(12), 849.086(4), (11), (13) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 4-12-06,_____.

61D-11.019 Internal Control System.

~~(1) Each applicant for a license to operate a cardroom shall submit with their initial applications for a cardroom shall include a their written internal control system established in compliance with Section 849.086, F.S., and the rules promulgated thereunder to the division for approval. Subsequent changes to the internal controls of a cardroom operator must be submitted/noticed to the division and must be for approved by the division prior to implementation of such changes. The division will have 30 days from receipt of the internal control changes to approve or disapprove the changes to the internal controls.~~

~~(2) Failure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules. A cardroom operator is responsible for compliance with its internal control system.~~

(3) A cardroom operator shall design and document an internal control system to reasonably assure that:

(a) Assets are safeguarded;

(b) Financial records are accurate and reliable;

(c) Transactions are performed in accordance with management's authorization;

(d) Access to assets is permitted only in accordance with management's specific authorization;

(e) Recorded accountability for assets is compared with actual assets at frequent intervals and appropriate action is taken with respect to any discrepancies;

(f) Functions, duties, and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel so that errors will be disclosed and corrected in a timely manner;

(g) Fraud is prevented or detected;

(h) Safety of the public and employees is enhanced;

(i) Competency of staff and ability to comply with established policies and procedures is promoted through training; and

(j) Efficiency of operations is enhanced.

~~(4) Internal control procedures be submitted to the division under the signature of the cardroom manager or general manager and shall comply at a minimum with Section 849.086, Florida Statutes, the rules promulgated hereunder, and the following requirements:~~

~~(a) Transfers between imprest trays and the cardroom bank shall be authorized, documented, and verified by a supervisor;~~

~~(b) All transactions that flow through the cardroom bank shall be summarized on a per shift basis as follows:~~

~~1. Increases and decreases to the cardroom bank inventory shall be supported by documentation;~~

~~2. Cardroom bank inventories shall be counted by at least two persons and recorded at the end of each shift;~~

~~3. Information shall be summarized and posted to the accounting records daily; and~~

~~4. An identification of whether an imprest bank or cage methodology will be utilized; if a cage is utilized, security controls shall limit access into the cage and a list maintained of employee positions with access;~~

~~(c) Internal audits shall be performed by the cardroom operator every six months of operation and shall include documentation of material exceptions to internal controls. Documentation of internal audits must be provided to the division within 30 days of the date of the internal audit;~~

~~(d) A description of the cardroom's patron dispute resolution process shall be included;~~

~~(e) A listing of all authorized games offered for play and a description of the rules of play and wagering requirements for each game shall be included;~~

~~(f) Complete card deck or domino set exchanges must occur no less than quarterly;~~

~~(g) The methodology for administration of payout for jackpots shall be included. Payouts for jackpots may be made in cash or chips if the amount of the distribution is equal to or less than \$4,999.99. Any payment for an amount greater than this threshold must be made with a check;~~

~~(h) An identification of where dealer breaks may be taken shall be stated;~~

~~(i) The methodology for administration of rakes, including amounts or time limits shall be included;~~

(k) A floor plan shall be included which is based on a readable scale and demonstrates the placement or location of the following:

1. Each cardroom table and its corresponding table number;
2. Security cameras and other surveillance equipment;
3. Count rooms and cages;
4. The location of the designated cardroom gaming area of the applicant's facility. Any designated cardroom gaming area shall be separated by a check-in area where the cardroom licensee shall check identifications of players prior to being seated for play or shall have controlled entry and exit points where the cardroom licensee shall check identifications to ensure no persons under eighteen (18) years of age are allowed access to the designated cardroom gaming area; and

5. The security surveillance system monitoring room;

(l) The floor plan shall provide for clear lines of sight for the security surveillance system. There shall be no area where cards or dominoes are played or where money is collected, distributed, or counted which the security surveillance system is unable to monitor with clarity;

(m) A copy of the floor plan shall be maintained in the surveillance room;

(n) A detailed description of key access controls for drop boxes shall be included;

(o) The methods for maintaining a database of persons who has been excluded from its facility by the licensee or the division shall be stated; and

(p) All internal control documents must include a footnote with the revision date for that version of the internal controls.

(4) The division will use standards set forth in the "Minimum Internal Control Standards," herein incorporated by reference, to determine whether the requirements of Section 849.086, F.S., and the rules promulgated thereunder are complied with in the submitted internal control system. If the submitted system is disapproved, the division shall provide a written report detailing the deficiencies and will make suggestions in the report on how the deficiencies can be corrected.

(5) The division shall not approve an internal control submission if:

(a) The internal controls do not meet the requirements in any of the subsections (1) through (4) above;

(b) Any game or series of games played is not an authorized game as defined by Section 849.086(2)(a), Florida Statutes;

(c) Players are allowed to wager in excess of the wagering limitation found in Section 849.086(8)(b), Florida Statutes; or

(d) Any provision of the internal control submission is inconsistent with the requirements of Rule 61D-11 F.A.C.

Specific Authority 550.0251(12), 849.086(4), (7), (12), (14) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.020 ~~Card Game Drop Box and Key Control Procedures.~~

(1) Each ~~card~~ table shall have a ~~one~~ drop box ~~with a drop slot~~ which when ~~used~~ ~~activated~~ will cause the rake or ante to drop directly into the drop box. The ~~card game~~ drop box shall ~~have be a locked container marked with~~ a permanent number corresponding to the ~~permanent number on the card~~ table. The ~~drop box~~ ~~locked container~~ shall be locked to the ~~card~~ table and ~~shall be~~ separately keyed from the drop box itself.

(2) Each cardroom operator shall develop and utilize a lock and key control system that limits or restricts access to secure compartments, drop boxes, and areas as identified in the licensee's internal control procedures. Locks and keys shall be received by the cardroom licensee's security department and installed by a master locksmith or similarly qualified employee of the licensee.

(3) Drop box keys shall be maintained by the security department.

(4) Drop boxes shall require dual keys, one release key for the table and one for the contents.

(5) Only a person authorized by the cardroom licensee's internal controls to remove the drop boxes from the tables shall be allowed access to the release keys.

(6) Drop box release keys and drop box contents keys shall require separate custodians.

(7) Only count team members shall be allowed access to box contents keys.

(8) All access to keys shall be documented in a log which shall include written justification, time signed out and back in, date, occupational license number and the signatures of at least two persons.

(9) All duplicate keys shall be maintained in a manner to provide control over drop boxes as required for the original key.

(10)(4) All ~~card game~~ drop boxes shall be removed from their respective ~~card~~ table no later than at the conclusion of each day's ~~authorized cardroom~~ activity. ~~Card game d~~Drop boxes shall be removed ~~without any interruptions~~ so that the markings ~~on the boxes~~ are clearly visible ~~and will be stored in a secure place or immediately counted and the count documented for accounting transaction purposes.~~

(11)(2) The count of the drop box shall ~~must~~ be in compliance with the requirements set forth in Rule 61D-11.017, F.A.C., and the ~~cardroom operator's~~ internal control system.

Specific Authority 550.0251(12), 849.086(4), (8), (10) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended, Amended _____.

61D-11.021 Card Game Tip Box Procedures.

- (1) Each ~~card~~ table shall have a one-dealer tip drop box with a drop slot that when used activated shall cause the tip to drop directly into the drop box. The dealer tip drop box shall be a locked container marked as a tip drop box.
- (2) All tip boxes ~~markings~~ shall be marked as a tip box which is clearly visible to camera surveillance.
- (3) All tip boxes shall be marked with a permanently affixed identification number or name clearly visible to camera surveillance.
- (4) Dealers shall place each tip on the table in front of the tip box and pause so that surveillance can identify the tip; the dealer shall then tap the tip on the tip box before inserting into the box.
- (5) The cardroom operator shall maintain a daily log indicating tip box assigned, by number or name, and total tips collected by dealer.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.022 Cardroom Imprest Bank and Card Table Imprest Tray.

- (1) A cardroom operator shall designate a secure area for housing the bank for cardroom operations.
- (2) The currency, chips and tokens for the cardroom operation shall be physically maintained separately from any other currency of the pari-mutuel wagering facility.
- (3) All cardroom operators must employ an imprest bank or cage method.
- (4) When the card table imprest tray is to be replenished from the cardroom imprest bank, all currency, chips or tokens to be transferred must be counted by the dealer in public view on the card table and verified by the transporter or supervisor.
- (5) The cardroom bank or cage must be a secure area where access is limited to those persons authorized in the internal controls.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

~~61D-11.023 Accounting for Transactions Between Card Table Imprest Tray and Cardroom Imprest Bank.~~

- (1) ~~When the card table imprest tray is to be replenished with currency, chips or tokens from the cardroom imprest bank, all currency, chips or tokens to be transferred must be counted down by the dealer in public view on the card table and verified by the person who transports the currency, chips or tokens.~~
- (2) ~~Upon written notification to the division, a cardroom operator who desires to utilize an imprest bank cage in lieu of a cardroom imprest bank, can do so provided that the same procedures as set forth in these rules and the approved internal control system are followed. The cardroom cage must be a secure area where access is limited to those persons authorized in the approved internal control system.~~

*Specific Authority 550.0251(12), 849.086(4) FS.
Law Implemented 849.086 FS.
History New 1-7-97.*

61D-11.024 Rake-Off Procedures.

- (1) The cardroom operator may use a set flat fee or a timed rate fee as a rake. The amount of the rake shall be conspicuously posted for the players to see.
 - (a) The set fee rake-off shall be called at the beginning of each hand. The set fee rake-off shall be placed in a designated rake circle or drop box slide and shall remain in the designated circle or slide until a winner is declared and paid. The set fee rake-off shall then be dropped into the table drop box.
~~A rake taken as a percentage of the pot shall be collected and placed in a designated rake circle or drop box slide immediately upon the conclusion of the round, hand, or game. The rake taken as a percentage of the pot shall then be dropped into the table drop box prior to the beginning of another round, hand, or game.~~
 - (b) If a timed rate fee is used, it shall be collected prior to dealing the first hand for the stated time period by placing chips or tokens in a designated rake circle or drop box slide as identified in the internal controls. The timed rate fee rake-off shall then be dropped into the table drop box.

Specific Authority 550.0251(12), 849.086(4), (8), (10) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended _____.

61D-11.025 Cardroom Electronic Surveillance.

- (1) ~~For purposes of monitoring the playing area, e~~Each cardroom licensee shall install in its establishment an electronic surveillance system according to the specifications herein, and shall provide timely access to the system on the licensee's

premises, by the division upon request.

(2) Definitions.

(a) "Cardroom surveillance" means the capability to observe and electronically record activities being conducted in a licensed cardroom facility.

(b) "Dedicated camera" means a black & white or color video camera that continuously records a specific activity.

(c) "PTZ Camera" means a light sensitive video camera which possesses, at a minimum, pan, tilt, and zoom capabilities or features comparable thereto.

(d) "Surveillance room" means a secure location in a licensed cardroom facility used primarily for cardroom surveillance.

(e) "Surveillance system" means a system of video cameras, monitors, recorders, and other ancillary equipment used for cardroom surveillance.

(3) The surveillance system is capable of the covert monitoring of:

1. The conduct and operation of card and domino tables;

2. The conduct and operation of the cashier's cage;

3. The collection and count of the gaming revenue drop;

4. The movement of any cardroom imprest tray within the facility, any bills, chips, or the movement of cash while being transported to a count room, money room, cardroom bank or cage, or armored car bay;

5. Detection and recording of cheating, theft, embezzlement, and other illegal activities in the cardroom facility; and

6. Detection of the presence in the cardroom facility of any person who is required to be excluded.

(3) The person holding the position of cardroom manager or supervisor with oversight of cardroom drops and revenue, may not be in a position to include conducting surveillance for the count room and drop activities.

(4) Surveillance system and equipment shall employ digital electronic technology with the acuity and clarity that is no less than that provided by magnetic tape systems. The digital equipment shall record to a quality of 4 Common Intermediate Format and shall be viewable on a monitor, and include date and time generators and display the date and time of recorded events to enable the operator to identify the point on such tape at which a particular event was recorded. Different capability levels of cameras shall be:

(a) Dedicated cameras which record at a rate of 30 frames per second for viewing all activities on the entire surface of each table;

(b) Dedicated cameras which record at a rate of 30 frames per second for viewing:

1. The cashier's cage, cashier's drawers, and vault; and

2. The surveillance room pursuant to subsection (16) of this rule; and

(c) PTZ cameras placed behind domes or one-way mirrors that conceal the cameras from view and permit unobstructed viewing with sufficient video monitors to simultaneously cover and record the following various vantage points at a rate of 30 frames per second and:

1. Permits identification of any person in the gaming area with sufficient clarity;

2. Monitors and records the movement of cash, chips, tokens, drop boxes, and tip boxes within the cardroom facility;

3. Monitors all areas and activities occurring within the count rooms, with audio-capability, and motion sensitive performance to record during any occupancy in the count process;

4. Monitors and records all areas where chips and tokens are exchanged for cash or checks with sufficient clarity to permit identification of all transactions; and

5. Magnifies or zooms to clearly distinguish table numbers and the value of playing cards, dominoes, chips, tokens, and currency.

(5) Every count must be recorded and the surveillance room must be staffed during the count process.

(b) At a minimum, each video camera unit must:

1. Include date and time generators which possess the capability to display the date and time of recorded events on videotape so as to enable the operator to identify the point on such tape at which a particular event was recorded;

2. Possess the capability of having its picture displayed on a video monitor and recorded;

3. Be equipped with lenses of sufficient magnification to clearly distinguish the value of the playing cards and, all moved to (4) above

(6) The entrance to the surveillance room must be located so that it is not readily visible or accessible to the general public. Access to the surveillance room must be limited to the cardroom manager or other personnel authorized in accordance with the licensee's policy as set forth in its written surveillance system plan internal controls.

(7) Each video camera unit required by this rule must be installed in a manner that will prevent it from being readily obstructed, tampered with, or disabled by patrons or employees.

(8) Employees shall not intentionally obstruct surveillance system equipment.

(9) Adequate lighting shall be present in all areas of the cardroom to enable camera coverage of sufficient quality to

produce clear videotape recordings.

~~(10) The licensee shall preserve and store any video~~ All recordings must be maintained for at least fourteen (14) days. The division shall have unfettered access to all such video recordings. Tapes and other electronic media storage shall be labeled in chronological order by date and time and shall be kept for a longer period of time if requested by the division or any law enforcement agency.

~~(11)(i) The surveillance system within the cardroom~~ must possess the capability to monitor and record the activities of the patrons and dealers at each poker table, in a manner that provides 100% ~~percent video~~ camera coverage of the cardroom at all times.

~~(j) The number and types of video cameras required in each cardroom facility are as follows:~~

~~1. PTZ video cameras, or cameras with comparable features are required in each cardroom facility to effectively monitor in detail and from various vantage points at all times, (a) the activities conducted at each table, (b) the movement of cash, gaming chips, and drop slot boxes, (c) all areas of the cardroom including entrances and exits.~~

~~2. One fixed dedicated video camera unit per table is will be required when cardroom gross receipts, as defined in Section 849.086(2)(h), F.S., equal or exceed \$500,000 in a calendar month.~~

~~3. The surveillance standard referenced in 2. above will be effective beginning the fiscal year immediately following the fiscal year in which the \$500,000 threshold is met.~~

~~(k) When dedicated cameras are required pursuant to the provisions of paragraph (j) above, each camera must provide coverage of: (1) each table with sufficient clarity to identify patrons and employees, and (2) each table surface, with sufficient clarity to simultaneously view all table activities.~~

~~(12)(1) Each cardroom licensee shall maintain a surveillance log of all surveillance activities in the monitor room. The log shall be maintained by the cardroom manager and shall be stored securely. At a minimum, the following information shall be recorded in a surveillance log which shall include:~~

~~1. Date and time each surveillance commenced;~~

~~2. The name and license number of each person who initiates, performs, or supervises the surveillance;~~

~~3. Reason for the surveillance, including the name, if known, and the description of each individual being monitored, and a brief description of the activity in which the monitored person is engaging;~~

~~4. The times at which each videotape recording was commenced and terminated;~~

~~5. The time at which each suspected criminal offense is observed, and a notation of the reading on the meter, counter, or device that identifies the point on the videotape at which such offense was recorded;~~

~~6. Time at which surveillance terminated; and~~

~~7. Date and time of equipment malfunction and repair.~~

~~(13) Tables in any area for which there is inadequate monitoring shall be suspended until the surveillance system is restored. The cardroom licensee shall be responsible to ensure that any malfunction of surveillance equipment shall be immediately repaired or replaced with a working unit.~~

~~(14) Failure of any storage system for video or audio recordings shall be repaired or the storage system replaced within 8 hours of the failure. The surveillance system shall provide back-up for video or audio recording during the repair and replacement time. If after 8 hours, activity in the affected area cannot be recorded, the tables in that area shall be closed for play until recording is restored. A log of all malfunctions of the surveillance and recording equipment shall be kept.~~

~~(15) The surveillance room shall be used exclusively to monitor the activities within the cardroom facility. The interior of the surveillance room shall not be visible or accessible to the public.~~

~~(16) The activity within the surveillance room shall be continuously recorded.~~

Specific Authority 550.0251(12), 849.086(4)(a) FS. Law Implemented 849.086(4)(a), (b), (f), (7)(a) FS. History—New 10-21-97, Amended, _____.

61D-11.0251 Security Plans.

(1)The cardroom operator shall maintain a security plan in its security office which shall include:

(a) A description by position of each security officer or employee which includes their duties, assignments and responsibilities;

(b) The minimum number of security employees to be staffed by shift;

(c) Procedures for handling incidents requiring the assignment of a security officer or employee;

(d) Training requirements and procedures for employees and officers of the cardroom licensee; and

(e) Alarms or alerts for incidents of violent crime that shall include, but not be limited to robbery, armed robbery, or an incident involving a hostage situation;

(2) The security plan shall include procedures for annual testing of all security alarms or alerts required by rules regulating the cardroom facility.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New _____.

61D-11.0275 Tournaments.

(1) Each cardroom licensee who conducts tournaments shall maintain written procedures for the conduct of tournaments which shall:

(a) Ensure the entry fee and any rebuys do not exceed the wagering limitations of Section 849.086(8)(b) and (c), Florida Statutes;

(b) Ensure the cardroom operator will provide a method for charging fees for participation for a tournament of poker including house and tournament fees; and

(c) Describe the following:

1. The point values of chips;

2. The number of chips each participant will receive;

3. The description of the appearance of chips that shall be visually distinct from those used in regular play;

4. The allowance and use of blinds;

5. The allowance and use of re-buys;

6. Distribution of winnings; and

7. The process to ensure that chips will not be redeemed for cash or for any other thing of value except that the point total represented by the players' accumulation of chips will be used to determine the winner or winners of the tournament.

(2) The written procedures must be provided to all interested participants, and posted within the cardroom.

(3) Cash received for entry fees shall be separate from all other cash received by the cardroom operator for regular cardroom gaming, until such time as all cash is counted.

(4) The monthly remittance report filed with the division in conjunction with the report required by Section 849.086(13), Florida Statutes, shall include an aggregate accounting of the following:

(a) The amount collected for games played in a tournament per player;

(b) The total amount of participation fees collected;

(c) The total number of participants;

(d) The total amount distributed to winning participants;

(e) The taxable gross receipts amount; and

(f) Calculation of total tax due for the tournament.

(5) The cardroom operator shall maintain a log of all tournaments played with a separate entry for each type of daily tournament containing the information in paragraphs (4)(a) through (4)(e) above. The log of tournament activity shall be reconciled to the information provided in the monthly remittance report in subsection (4).

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History–New _____.

61D-11.0279 Jackpots, Prizes, and Giveaways.

(1) The following requirements shall apply to all tables of a cardroom licensee participating in jackpots:

(a) The cardroom operator shall post the rules of the jackpots offered including which specific hands constitute a winner and the odds for obtaining such hands;

(b) The jackpot rake shall be posted at each table;

(c) An additional locking drop box shall be installed on the left side of poker tables for jackpot proceeds;

(d) A jackpot rake pulled from the pot by the dealer shall be dropped in the jackpot drop box;

(e) Jackpot drop boxes shall have a permanently affixed number that corresponds to the table to which it is assigned;

(f) Jackpot drop boxes shall be marked or colored so as to be distinguishable from the regular drop box and tip box;

(g) All jackpot drop boxes shall be counted and dropped daily utilizing drop procedures set forth in Rule 61D-11.0175,

F.A.C.;

(h) Jackpot revenue shall not be commingled with other monies. The jackpot drop shall be batched daily and deposited into a separate non-interest bearing bank account;

(i) The daily balance for each jackpot shall be posted prominently;

(j) Records for jackpots shall include a detailed ledger with all credits, debits, and accrued balances. The records shall be maintained indicating an accounting of the balances of each jackpot offered;

(k) All payouts for jackpots shall be made in accordance with the internal controls which may include a threshold that when the jackpot meets such amount, the series of cards determining the winning hand will be changed to a series of cards which has more probable odds of being hit; and

(1) The amount of the jackpot shall be determined by the ending total balance of the jackpot fund at the end of the previous day's count, and as posted as required in paragraph (i) of this rule.

(2) Form DBPR PMW-3605, Daily Tracking of Cardroom Jackpot, adopted and incorporated by Rule 61D-12.001, Florida Administrative Code, shall be maintained for each day of cardroom activity, tracking all different jackpots. Each Form DBPR PMW-3605 shall be submitted to the division monthly along with each Form DBPR PMW-3640, Cardroom Monthly Remittance Report, adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(3) The cardroom operator shall maintain a log of jackpot payouts that shall include the name, address, and telephone number of each winner, the check number, a copy of the winner's identification and a copy of any forms required to be filed by the Internal Revenue Service for reporting of winnings of jackpot payouts which meet the Internal Revenue Service winnings threshold.

(4) A jackpot, prize, or giveaway shall only be awarded to a player holding a combination of cards specified by the cardroom operator.

(5) The internal controls shall include procedures for reporting winnings that reach the Internal Revenue Service threshold.

(6) The transaction for a giveaway or prize must be a separate transaction from any buy-in or rebuy. Jackpot contributions may be a part of a buy-in or re-buy, but the jackpot portion must be fully disclosed and accounted for separately.

(7) One hundred percent of any jackpot rake shall go towards payment of jackpots. A cardroom operator may not withhold a percentage of jackpot rake receipts for the cost of administering of such jackpot.

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New _____.