

#### 61D-4.002 Evaluating a Permit Application for a Pari-Mutuel Facility.

An applicant for a Florida Pari-Mutuel Facility permit shall submit a Form DBPR PMW-3010, Permit Application, effective \_\_\_\_\_, adopted herein by reference; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01552>; a Form DBPR PMW-3030, Personal History Record; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01553>, and a Form DBPR PMW-3195, Request for Release of Information and Authorization to Release Information; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01555>, both all of which are effective 9-12-12 and adopted herein by reference. The forms can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

(1) In evaluating a permit application, the division shall take into consideration the following:

- (a) The potential profitability and financial soundness of the prospective permitholder;
- (b) The ability to preserve and protect the pari-mutuel revenues of the state and to ensure the integrity of the wagering pool;
- (c) The holdings, transactions, and investments of the applicant connected to previous business ventures;
- (d) The existence of any judgment or current litigation, whether civil, criminal, or administrative, involving the applicant;
- (e) The existence of appropriate land use or zoning for the property identified in the application or a letter signed from the local government zoning authority stating that zoning for such pari-mutuel activities at property identified in the application would be viewed favorably;

(f) For greyhound and horse permit applicants, the inclusion of a detention area in its site plan to facilitate the sampling of racing animals by the division for impermissible substances; and

(g) The submission of a survey map detailing the distance in miles to the nearest existing pari-mutuel facilities to demonstrate that the proposed permit does not violate the new permit mileage restrictions in Section 550.054(2), F.S.

(2) After initial approval of the permit and the source of financing, the terms and parties of any subsequent financing shall be disclosed by the applicant or the permitholder, to the division within 30 days.

(3) A pari-mutuel wagering permitholder who transfers an ownership or equity interest in its permit to another licensed pari-mutuel wagering permitholder or who transfers a permit to an entity exclusively composed of ownership interests that have been approved under the provisions of Sections 550.054 and 550.1815, F.S., must file with the division Form DBPR PMW-3040, Permit Transfer Application From One Existing Permitholder to Another Existing Permitholder, effective 9-12-12, adopted herein by reference, <https://www.flrules.org/gateway/reference.asp?NO=Ref-01554>, which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037.

Rulemaking Authority 550.0251, 550.054(8)(b), 550.1815, 550.5415 FS. Law Implemented 550.0251, 550.054, 550.0951, 550.155, 550.1815, 550.2415 FS. History—New 10-20-96, Amended 12-15-97, 3-4-07, 9-12-12.

#### 61D-4.004 Application for Annual Racing License.

(1) Any permitholder authorized to submit an application for an annual license to conduct races or games pursuant to Sections 550.0115 and 550.01215, F.S., shall make such application to the division on Form DBPR PMW-3060, Permitholder Application for Annual License and Operating Dates; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01556>, Form DBPR PMW-3080, Permitholder Calendar; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01557>, and Form DBPR PMW-3190, Officers and Directors; <https://www.flrules.org/gateway/reference.asp?NO=Ref-01558>, all of which are effective \_\_\_\_\_ 9-12-12 and adopted herein by reference. The forms can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1037. The required forms shall be submitted during the period provided in Section 550.01215, F.S. between December 15 and January 4 for performances to be conducted during the next state fiscal year.

(2) Once the annual license has been issued, a minor amendment is an addition, deletion, or movement of a performance or performances representing no more than 10% of the total performances requested for the license year. If subsequent amendments are requested on the same operating license year, the requests will be aggregated to determine the 10% maximum.

(3)(2) Any request to amend racing dates submitted to the division shall include documentation from permitholders located within 50 miles of the applicant indicating whether they object to the issuance of an amended license. Objections will only be

considered from those permitholders conducting a performance or performances at its licensed facility on the date of the requested amendment and shall include an estimated fiscal impact with supporting data regarding impacts on handle.

Rulemaking Authority 550.0251(3), 550.01215(2) FS. Law Implemented 550.0115, 550.01215, 550.5251 FS. History—New 3-4-07, Amended 9-12-12, \_\_\_\_\_.

