

## Notice of Proposed Rule

### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

#### **Division of Pari-Mutuel Wagering**

RULE NO: RULE TITLE

[61D-14.002](#): Application Requirements

[61D-14.005](#): Occupational License Requirements for Individual Persons

[61D-14.006](#): Occupational License Application Requirements for Business Entities

[61D-14.008](#): Occupational License Renewal Application

[61D-14.010](#): Identification of the Occupational License Applicant

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rules will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

**SUMMARY:** The rules have been reworded to improve clarity and address several subject matter areas. Rule 61D-14.002, F.A.C., clarifies the requirement for the bond which must accompany an application and specifies that applicants provide all final orders, pleadings, and complaints in all administrative, civil, or criminal actions as well as complaints currently active regarding the applicant at the time of application. Rule 61D-14.005, F.A.C., requires that each applicant provide the date of birth, race, and gender of all relatives over the age of 21 living in the same household as the applicant. It also requires that applicants submit a copy of any final orders or judgments as well as complaints currently active which may affect the applicant's license. Rule 61D-14.006, F.A.C., provides the procedures for submitting modified corporate information for an application for licensure in the state. The rule requires that applicants provide copies of all court and/or administrative records regarding denial, suspension, or revocation of any government-issued license, permit, or certificate as well as complaints currently active. It also requires that applicants provide a copy of any licenses, permits, or certificates. Rule 61D-14.008, F.A.C., requires the applicant to disclose any administrative, civil, or criminal action that has occurred since the issuance of the current license. It also requires the applicant to provide copies of the complaints, pleadings, final orders, and judgments entered as a result of these actions. Rule 61D-14.010, F.A.C., updates the method in which an applicant may establish his/her identity and removes the requirement for a driver's license or identification card to contain eye color. The rule provides a technical change by defining the acronym "ICE" to represent Immigration and Customs Enforcement.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**SPECIFIC AUTHORITY:** [551.103\(1\)](#), [551.122 FS](#).

**LAW IMPLEMENTED:** [119.07](#), [551.103\(1\)\(a\)](#), (b), (f), [551.104\(4\)](#), (10), [551.106\(1\)](#), [551.107\(4\)\(a\)](#), (d), [551.108](#), [551.118 FS](#).

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** June 24, 2009, 9:00 a.m. – 5:00 p.m.

**PLACE:** Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 195, Ft. Lauderdale, Florida 33309

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

**THE FULL TEXT OF THE PROPOSED RULE IS:**

61D-14.002 Application Requirements.

(1) Each application for a slot machine license shall:

- (a) Be filed by a pari-mutuel wagering permitholder;
- (b) Be filed ~~shall include the following information~~ on Form DBPR PMW-3400, Permitholder Application for Annual Slot Machine License, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C.;
- (c) ~~(a)~~ Include ~~the~~ The full name of the applicant;
- (d) ~~(b)~~ Include a ~~★~~ list of all ownership interests of five percent or greater;
1. If ~~the applicant is~~ a corporation, provide the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity; or
  2. If ~~the applicant is~~ ~~if~~ a business entity other than a corporation, provide the names and addresses of the principals, partners, shareholders, or any other person holding five percent or more equity;
- (e) ~~(c)~~ Include ~~the~~ The names and addresses of the ultimate equitable owners for a corporation or other business entity, if different from those provided under paragraph (d) ~~(b)~~, unless:
1. The securities of the corporation or entity are registered pursuant to Section 12 of the Securities Exchange Act of 1934, 15 United States Code Sections 78a-78kk; and
  2. ~~The~~ ~~if such~~ corporation or entity files the reports required by Section 13 of the Act with the United States Securities and Exchange Commission, the reports required by Section 13 of the act above or if the securities of the corporation or entity are regularly traded on an established securities market in the United States;
- (f) ~~(d)~~ Include ~~the~~ The names and addresses of any mortgagee of ~~the applicant's~~ ~~any~~ pari-mutuel facility and information on any financial agreement between the parties including the names and addresses of:
1. ~~The~~ ~~the~~ officers and directors of the mortgagee;
  2. ~~The~~ ~~and of those~~ stockholders in the mortgagee who hold more than five percent of the stock; ~~of the mortgagee. If applicable, a mortgagee shall also file the same information for~~
  3. The equitable owners under paragraph (e) ~~(c)~~ if applicable and the mortgagee is a publicly traded company;
- (g) ~~(e)~~ Provide for ~~For~~ each individual listed in the application as an owner, partner, officer, or director a complete:
1. ~~Set~~ ~~A complete set~~ of fingerprints that have been taken by a law enforcement officer or division staff to allow for electronic submission to FDLE; and
  2. Form DBPR PMW-3460, Request for Release of Information and Authorization to Release Information, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C., authorizing the division and FDLE to obtain any record held by a financial or public institution;
- (h) ~~(f)~~ Include a ~~★~~ security plan that is in compliance with the specifications ~~cited~~ sited in Rule 61D-14.051, F.A.C.;
- (i) ~~(g)~~ Include a ~~★~~ copy of the contracts required by Section 551.104(10), F.S.;
- (j) ~~(h)~~ Include ~~Each applicant shall provide~~ the name and address of the custodian of records in Florida for slot machine operations;
- (k) ~~(i)~~ Include ~~the date of issue of each permit to conduct pari-mutuel wagering and the applicant's~~ ~~Each applicant shall disclose each permit to conduct pari-mutuel wagering that is issued to the applicant in which it has~~ ~~any~~ ownership interest percentage;
- (l) ~~(j)~~ Include a complete Form DBPR PMW-3470, Surety Bond for Florida Slot Machine Licensee, adopted and incorporated by Rule 61D-15.001, F.A.C. This form ~~Each applicant shall~~ provides proof of a bond, in the amount of at least 2 million dollars (\$2,000,000.00) payable to the Governor of the State of Florida and his or her ~~or his/her~~ successors in office ~~issued by a surety authorized to issue such a bond in the state of Florida~~. The bond required by this section ~~must:~~ shall be conditioned to require faithful payment of all taxes, fees, or any other moneys payable under Chapter 551, F.S., and indicate whether it is renewable for successive license renewal periods and how many renewals are provided by the bond;
1. Be issued by a surety authorized to issue such a bond in the state of Florida;
  2. Provide the surety name, bond number, and date of the instrument;
  3. State that upon the principal's failure to comply with Chapter 551, F.S., and Chapter 61D-14, F.A.C., including but not limited to the principal's failure to promptly pay all gaming fees and taxes when due and demanded, the Director of the Division of Pari-Mutuel Wagering of the Department of Business and Professional Regulation (DBPR) may make demand upon the surety for the payment of the amount of the default to also include any fines or administrative penalties imposed as a result of a default by said principal up to but not to exceed the amount of its liability as defined by this bond;
  4. Indicate the expiration date of the bond and provide that the bond may be continued by continuation certificate signed by the principal and surety;
  5. Provide that the surety may reserve the right to withdraw from the bond, except the surety may not withdraw as to any liability already incurred or accrued during the period of the bond, and may do so only upon giving written notice of the withdrawal to the Director of the Division of Pari-Mutuel Wagering, State of Florida, DBPR, 1940

North Monroe Street, Tallahassee, Florida 32399. The bond must further provide that any approved withdrawal shall not be effective until sixty (60) days have elapsed after the division's acknowledgement of the notice;

6. Provide that withdrawal shall not in any case affect the surety's liability arising out of any outstanding amount incurred prior to the expiration of the 60-day period, after which the division has acknowledged the surety's notice of withdrawal; and

7. Include the signatures of the Corporate President, Secretary, and attorney in fact (as required) and Resident Agent licensed in the State of Florida, and the printed name and address of that Resident Agent.

~~(m)(k)~~ Include payment of Each applicant shall pay the non-refundable application fee upon the filing of the application as required by Section 551.106(1), F.S.;

~~(n)(h)~~ Include payment of Each applicant shall pay the non-refundable regulatory fee to fund the compulsive gambling program as required by Section 551.118, F.S.;

~~(o)(m)~~ Include a ~~★~~ copy of each policy required by Sections 551.104(4)(i); and 551.118, F.S., for the following:

1. Creating opportunities to purchase from vendors in this state, including minority vendors;
2. Creating opportunities for employment of residents of this state, including minority residents;
3. Ensuring that opportunities for construction services are from minority contractors;
4. Ensuring that opportunities for employment are offered on an equal, nondiscriminatory basis; and
5. Training for employees on responsible gaming and working with a compulsive or addictive gambling treatment program as required by Section 551.118, F.S.;

~~(n)~~ Each applicant shall disclose 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.;

~~(o)~~ Each applicant shall disclose 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.;

(p) Include a copy of:

1. All administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency and all judgments entered as the result of any completed proceedings that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054, 550.1815, and 551.104, F.S.; and

2. Each complaint, pleading, and any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

~~(q)(p)~~ Include internal ~~Internal~~ control procedures required by Rule 61D-14.058, F.A.C.; and

~~(r)(q)~~ Include the ~~The~~ dates and hours of slot machine operations as specified in Rule 61D-14.017, F.A.C.

~~(2)~~ The ~~application shall be filed under oath by the~~ applicant for a slot machine license ~~shall file its application under oath.~~

~~(3)~~ No change.

~~(4)~~ The applicant shall indicate:

~~(a)~~ When ~~if~~ the applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law, for any part of its application, ~~and it shall indicate in its application~~

~~(b)~~ The ~~the~~ specific sections for which it claims an exemption and the basis for the exemption pursuant to Section 119.07, F.S., or any other exemption from public records disclosure provided by law.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 119.07, 551.103(1)(a), (b), (f), 551.104(4), (10), 551.106(1), 551.118 FS. History—New 6-25-06, Amended \_\_\_\_\_.

61D-14.005 Occupational License Requirements for Individual Persons.

(1) The following slot machine occupational license requirements apply to individual persons having access to the designated slot machine area or who may be granted access to the slot machine area by reason of the positions they hold:

(a) Professional Individual Employee Occupational License – Individuals meeting any of the following criteria shall apply for a professional individual occupational license. An individual seeking a license as an employee of a slot machine facility who: ~~An individual seeking a license as an employee of a slot machine facility who will be a security employee or hold a position as the head of a department referenced in Rule 61D-14.015, F.A.C., or a supervisor of employees of the slot machine licensee shall apply for a professional employee occupational license;~~

1. Will be a security, surveillance, or supervisory employee of a slot machine facility;

2. Will have access to the interior of a slot machine, a slot machine's revenue, or accounting and reporting

records associated with slot machine revenue; or

3. Holds a position as the head of a department referenced in Rule 61D-14.015, F.A.C., or a supervisor of employees of the slot machine licensee.

(b) General ~~Individual Employee~~ Occupational License – An individual seeking a license as an employee of a slot machine facility with no management or supervisory authority related to the slot machine licensee’s facility or employees not covered in paragraph (1)(a) above shall apply for a general ~~individual employee~~ occupational license; and

(c) No change.

(2) As part of the initial application for or renewal of ~~for~~ a slot machine occupational license provided in Section 551.107, F.S., an applicant shall submit the following information ~~under oath~~ on Form DBPR PMW-3410, Slot Machine ~~Individual Employee~~ Occupational License Application, or Form DBPR PMW-3415, Slot Machine Individual Occupational License Renewal Application, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C.:

(a) through (e) No change.

(f) The applicant’s marital status and the name, date of birth, race, and gender ~~names~~ of the applicant’s spouse, children, siblings, grandchildren, the applicant’s parents, and any other relative over the age of 21 living in the same household as the applicant;

(g) through 1. No change.

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency; ~~and~~

(h) Information regarding any ~~Any~~ administrative, civil, or criminal proceedings, or any investigations known to the applicant that have been initiated by any governmental agency or any other state or federal agency regarding the applicant that could affect the license status of the applicant in that jurisdiction, or any judgment entered as the result of any such proceeding to include:-

1. The date of any listed action;

2. A copy of any complaint filed in the above actions; and

3. A copy of any final orders, judgments, or other final judicial disposition in the above actions.

(3) through (c) No change.

1. All gaming-related employment; ~~and~~

2. Any non-gaming employment for the previous ten years; and

3. Any period of unemployment in excess of one month.

(d) No change.

(e) A Form DBPR PMW-3460, Authorization for Release of Information, ~~adopted and incorporated by Rule 61D-15.001, F.A.C., release~~ signed by the individual ~~authorizing the division and FDLE to obtain any record held by a financial or public institution.~~

(4) No change.

(a) A duly completed original Form DBPR PMW-3410, Slot Machine ~~Individual Employee~~ Occupational License Application, ~~which is~~ adopted and incorporated by Rule 61D-15.001, F.A.C., in accordance with subsection (3);

(b) through (7) No change.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(b), 551.107(4)(a), 551.108 FS. History– New 6-25-06, Amended 12-6-06,\_\_\_\_\_.

61D-14.006 Occupational License Application Requirements for Business Entities.

(1) The slot machine occupational license requirements of this section apply to any business entities, including sole proprietorships, as follows:

(a) A business entity shall apply for a business entity occupational license, if the business entity:

1. Acts that acts as a slot machine management company, slot machine manufacturer or distributor, or sells slot machine gaming related products, services, or goods to a slot machine licensee; or

2. Employs individuals who whose employees may be granted access to the designated slot machine area by reason of the employment position they hold with the business entity. ~~shall apply for a business entity occupational license; and~~

(b) Business entities or their employees that do not supply slot machine gaming related products, services, or goods are not required to hold a business occupational license. However, the slot machine licensee shall be required to meet the requirements of ~~maintain a list of employees as required by~~ paragraph 61D-14.051(4)(k), F.A.C.

(c) A business entity may submit a modified application to apply for a business entity occupational license under the conditions listed in subsection (4) below if it meets specific criteria listed below. The entity’s employee(s)

shall obtain a slot machine occupational license if they intend to be granted access to the designated slot machine area by reason of the employment position they hold with the business entity. The business entity must meet each of the following criteria for this specific licensure:

1. The service or product the business entity provides a facility licensed under Chapter 551, F.S., is not exclusively (or specifically) dedicated to slot machine gaming, or the delivery of slot machines, or the business entity is not engaged in activity directly related to slot machines;
2. The service or product the business entity provides a facility licensed under Chapter 551, F.S., requires employees of the business entity to interact or come in contact with facility slot machines, support systems, or other associated equipment connected in any way to the operation of slot machines in order to perform their responsibilities;
3. The business entity is a corporation with regularly traded shares on an established securities market in the United States;
4. The business entity is a corporation with corporate officers located in more than three states and/or overseas locations; and
5. The day-to-day management of the business entity within Florida is delegated to a senior manager resident within Florida. For purposes of this rule, the term senior manager designates an applicant's highest level manager permanently residing in Florida.

(2) through (3)(h)1. No change.

2. A Form DBPR PMW-3460, Authorization for Release of Information, adopted and incorporated by Rule 61D-15.001, F.A.C., ~~release~~ signed by the individual ~~authorizing the division and FDLE to obtain any record held by a financial and public institution.~~

(i) The name, title, and job description of each employee who is required to enter ~~access~~ any area of a slot machine licensee's facility;

(j) Disclosure of other jurisdictions in which the applicant holds, has held, or is applying for a gaming license, including any license, permit, or registry required in order to participate in any legal gaming operation.:

~~1. Any license, permit, or registry required in order to participate in any legal gaming operation; and~~

~~2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency;~~

(k) Disclosure of whether the applicant has had a gaming license in another jurisdiction suspended, revoked, or denied, or whether there are administrative, civil, or criminal proceedings in any other jurisdiction that could result in the imposition of any suspension, revocation, or denial in that jurisdiction. Such disclosure shall include: ~~any license which has been relinquished in lieu of such prosecution;~~

1. A list [b1] of the applicable license, permit, or registry required in order to participate in any legal gaming operation, including any license which has been relinquished in lieu of prosecution;

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency; and

3. A copy of all court and/or administrative records regarding any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency.

(l) through (n) No change.

(o) If the applicant is a corporation, the application shall also disclose:

1. The state in which the applicant is incorporated;

2. ~~Whether Disclosure of whether~~ the corporation, or any officer or director of that corporation, has ~~ever~~ been convicted of a crime, and ~~if so, provide:~~

a. ~~A listing of those crimes offenses; and~~

b. A copy of all court and/or administrative records concerning the charge and final order regarding any crime for which the corporation or officer or director was convicted.

3. through (p) No change.

(4) The following exemptions apply if a business entity chooses to submit itself for consideration under the requirements of paragraph (1)(c) above for the division's approval. The following changes and agreement of terms of such submission apply regarding that entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., and any subsequent enforcement action regarding the business entity or entity employee's conduct:

(a) The Senior Manager who is employed and resides within Florida shall be permitted to represent the business entity for purposes of fulfilling the requirements of paragraph (3)(h) above;

(b) The Senior Manager representing the entity shall obtain an individual occupational license pursuant to Rule 61D-14.005, F.A.C.;

(c) The information required pursuant to the requirements of paragraph (3)(m) above is further excluded from

the required application as well as the requirement for the continued maintenance of that information in corporate records for inspection:

(d) The information required on Form DBPR PMW-3430, Business Entity Internal Control Information, adopted and incorporated by Rule 61D-15.001, F.A.C., shall be limited to that business activity conducted within the State of Florida;

(e) The business entity remains responsible for all required certifications as to accuracy of the information contained on the application for that business entity, notwithstanding the fact the Senior Manager represents the entity on that application;

(f) The entity's Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., shall be signed by an officer qualified to bind the corporation at the corporate level to contracts and similar agreements. The corporate officer's signature shall attest to the accuracy and completeness of all information submitted on the application, without reservation; and

(g) All other requirements for application pursuant to this rule remain unchanged.

(5) The business entity, by availing itself of the provisions of subsection (4) above, agrees to the following additional requirements of this application process under this subsection:

(a) The entire corporate business entity is subjected to the regulatory requirements and mandates of Chapter 551, F.S., and applicable rules;

(b) Any disciplinary action taken as to the business entity or the business entity designated Senior Manager representative within the state shall apply to the business entity corporate record of performance within this state as it relates to slot machine gaming licensure;

(c) Upon request from another regulatory jurisdiction, the division shall report regulatory infractions and/or disciplinary action applied to the business entity in Florida as applicable to the business entity's corporate record of performance within the state without qualification or reservation.

(6)(4) If the applicant is a business entity, it shall file its ~~the~~ business occupational license application ~~shall be filed~~ under oath by an officer, director, or manager who is authorized by the applicant business entity to bind the applicant to the representations made in the license application.

(7)(5) An applicant for a license as a manufacturer or distributor of slot machines, or any equipment necessary for the operation of slot machines, shall include with its application an affidavit attesting to the fact that the applicant, its officers, directors, or employees have no ownership or financial interest in a slot machine licensee or any business owned by a slot machine licensee.

(8)(6) If the applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law, for any part of its application, it shall indicate in its application the specific sections for which it claims an exemption and the basis for the exemption.

(9)(7) Each application shall be filed with the division's office located at ~~the slot machine licensee's facility or to the division at~~ 1940 North Monroe Street, Tallahassee, Florida 32399-1035.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a) FS. History--New 7-30-06, Amended \_\_\_\_\_.

#### 61D-14.008 Occupational License Renewal Application.

(1) The application for renewal of a slot machine occupational license shall be made under oath and include:

(a) A ~~copy~~ completed original Form DBPR PMW-3415, Slot Machine Individual Occupational License Renewal Application, or Form DBPR PMW-3425, Slot Machine Business Entity Occupational License Renewal Application, ~~DBPR PMW-3410, Slot Machine Employee Occupational License Application or 3420, Slot Machine Business Entity Occupational License Application,~~ which are adopted and incorporated by Rule 61D-15.001, F.A.C.; and

(b) No change.

(c) Disclosure of the following administrative, civil, or criminal actions that have occurred since the issue of the current license:

1. All administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency; and

2. A complete copy of the complaint, pleadings, and any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

(2) The division shall issue a slot machine occupational license ~~Slot machine occupational licenses shall be issued by the division~~ for a period of one year or three years. ~~Applications shall be when~~ accompanied by the corresponding license fee, beginning on ~~July~~ ~~October~~ 1 of each year and expiring on ~~June~~ ~~September~~ 30 of the anniversary ~~following~~ year for the license.

(3) The completed renewal application shall be filed with and received by the division between ~~May 1st and~~

~~June August 2nd through September~~ 30th of the year the license is due to expire.

(4) The license for any person who fails to submit a completed renewal application in accordance with this section shall expire on the expiration date.

(5) ~~Any person whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license: Any person whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license shall be considered an initial slot machine occupational license applicant.~~

(a) Within one year of the expiration of the current license shall be considered an applicant for renewal of that license.

(b) Longer than one year after expiration of the original license shall be required to make application using Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, adopted and incorporated by Rule 61D-15.001, F.A.C., and shall provide the information required pursuant to Rule 61D-14.005, F.A.C.

(6) Any business entity whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license shall be considered an initial slot machine occupational license applicant.  
Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a) FS. History--New 6-25-06, Amended \_\_\_\_\_.

#### 61D-14.010 Identification of the Occupational License Applicant.

Every applicant for a professional individual, general individual, or business employee slot machine occupational license shall establish his/her identity in one of the following ways:

(1) through (2)(a) No change.

(b) Current driver's license containing a photograph, name, signature, date of birth, sex, height, ~~color of eyes~~ and address of the applicant;

(c) through (e) No change.

(f) Current identification card issued by the Immigration and Naturalization Service containing a photograph or information about the name, date of birth, sex, height, ~~color of eyes~~ and address of the applicant; or

(g) A current foreign passport that is recognized by the Immigration and Customs Enforcement (ICE) ~~ICE~~ and contains a photograph of the applicant.

Rulemaking Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a), (d) FS. History--New 6-25-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2007