

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 264

BY: LONG (Lewis) and FORD of  
the SENATE

and

LEIST of the HOUSE

AS INTRODUCED

AN ACT RELATING TO AMUSEMENTS AND SPORTS; AMENDING  
SECTION 28, CHAPTER 11, O.S.L. 1983, AS AMENDED BY  
SECTION 1, CHAPTER 162, O.S.L. 1990 (3A O.S. SUPP.  
1990, SECTION 208.2), WHICH RELATES TO RACE  
MEETINGS CONDUCTED BY FAIR ASSOCIATIONS; PROVIDING  
EXCEPTION; CREATING OKLAHOMA ALLSTATE FAIR RACE  
MEETING; PROVIDING QUALIFICATION TO CONDUCT MEETING  
AND SETTING TIME PERIOD; PROVIDING FOR DISTRIBUTION  
OF MONIES RETAINED FROM WAGERS; CREATING SPECIAL  
ACCOUNT FOR STATE DEPARTMENT OF AGRICULTURE;  
REQUIRING MONIES BE EXPENDED FOR CERTAIN PURPOSES;  
REQUIRING OKLAHOMA HORSE RACING COMMISSION ISSUE  
CERTAIN OCCUPATION LICENSES AND LIMITING CERTAIN  
FEE; PROVIDING FOR CODIFICATION; AND DECLARING AN  
EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 28, Chapter 11, O.S.L. 1983, as amended by Section 1, Chapter 162, O.S.L. 1990 (3A O.S. Supp. 1990, Section 208.2), is amended to read as follows:

Section 208.2 A. ~~Any~~ Except as provided in Section 2 of this act, any fair association organized pursuant to the provisions of Title 2 of the Oklahoma Statutes for Agricultural Fair Corporations, the Free Oklahoma State Fair, Free District Fairs, and Agricultural and Industrial Expositions and Fairs or any existing county, district, or state fair as of January 1, 1983, may apply to the Commission for one race meeting each year to be held within the boundaries of the county where the fair association is located on specified dates which coincide with the dates of the fair sponsored by the fair association not to exceed fourteen (14) days. The Commission may set the number of days and the dates of such race meeting. A race meeting conducted pursuant to the provisions of this section shall be conducted in such a manner that all profits shall accrue to the fair association.

B. Each organization licensee that, pursuant to this section, holds a race meeting at which the pari-mutuel system of wagering is conducted shall retain the following amounts from the monies wagered:

1. On win, place, and show wagers, an amount equal to eighteen percent (18%) shall be retained and distributed as follows:

- a. two-thirds (2/3) of the eighteen percent (18%) to the organization licensee, and
- b. one-third (1/3) of the eighteen percent (18%) to purses for participating horses;

2. On daily double, quinella, and exacta wagers, an amount equal to twenty percent (20%) shall be retained and distributed as follows:

- a. seven-tenths (7/10) of the twenty percent (20%) to the organization licensee, and
- b. three-tenths (3/10) of the twenty percent (20%) to purses for participating horses;

3. On pick six wagers, an amount equal to twenty-five percent (25%) shall be retained and distributed as follows:

- a. three-fifths (3/5) of the twenty-five percent (25%) to the organization licensee, and
- b. two-fifths (2/5) of the twenty-five percent (25%) to purses for participating horses.

C. The Commission shall issue occupation licenses for personnel of organization licensees licensed pursuant to ~~Section 208.2~~ of this ~~title~~ section. Each occupation license shall be issued pursuant to Section 204.2 of this title except that the occupation license fee shall not be more than Ten Dollars (\$10.00) excluding fingerprinting fees.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 208.2A of Title 3A, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma Allstate Fair Race Meeting to be operated and conducted by an organization licensee and held at a facility owned and operated on or before January 1, 1990, by or on behalf of a political subdivision of this state and which licensee and facility have been approved by the Oklahoma Horse Racing Commission to hold fair race meetings. The race meeting conducted pursuant to the provisions of this section shall be conducted between May 15 and September 15 of each year for a period not less than forty-five (45) days nor more than sixty (60) days, as set by the Commission.

B. The organization licensee that, pursuant to subsection A of this section, holds the race meeting at which the pari-mutuel system

of wagering is conducted shall retain the following amounts from the monies wagered:

1. On win, place, and show wagers, an amount equal to eighteen percent (18%) shall be retained and distributed as follows:

- a. one-eighteenth ( $1/18$ ) of the eighteen percent (18%) to the Oklahoma Allstate Fair Fund Special Account,
- b. eleven-eighteenths ( $11/18$ ) of the eighteen percent (18%) to the organization licensee, and
- c. one-third ( $1/3$ ) of the eighteen percent (18%) to purses for participating horses;

2. On daily double, quinella, and exacta wagers, an amount equal to twenty percent (20%) shall be retained and distributed as follows:

- a. one-twentieth ( $1/20$ ) of the twenty percent (20%) to the Oklahoma Allstate Fair Fund Special Account,
- b. thirteen-twentieths ( $13/20$ ) of the twenty percent (20%) to the organization licensee, and
- c. six tenths ( $6/10$ ) of the twenty percent (20%) to purses for participating horses; and

3. On pick six wagers, an amount equal to twenty-five percent (25%) shall be retained and distributed as follows:

- a. one twenty-fifth ( $1/25$ ) of the twenty-five percent (25%) to the Oklahoma Allstate Fair Fund Special Account,
- b. fourteen twenty-fifths ( $14/25$ ) of the twenty-five percent (25%) to the organization licensee, and
- c. two-fifths ( $2/5$ ) of the twenty-five percent (25%) to purses for participating horses.

C. There is hereby created in the State Treasury an agency special account for the State Department of Agriculture, to be designated the "Oklahoma Allstate Fair Fund Special Account". The fund shall be a continuing fund, not subject to fiscal year

limitations, and shall consist of all monies received by the State Department of Agriculture from subsection B of this section. All monies accruing to the credit of said account are hereby appropriated and may be budgeted and expended by the Department for purposes specified in subsection D of this section. Expenditures from said account shall be made upon vouchers prescribed by the State Treasurer and issued by the Department against the Oklahoma Allstate Fair Fund Special Account.

D. No monies shall be expended by the Department from the Oklahoma Allstate Fair Fund Special Account except for the following purposes:

1. Fifty percent (50%) of the monies shall be distributed on a pro rata basis to each county fair association organized pursuant to the provisions of Title 2 of the Oklahoma Statutes and to any other fair or district livestock show approved by the Department. Each county fair association, fair or livestock show receiving monies pursuant to this section shall use such monies for premiums on livestock, poultry, agricultural and horticultural products, dairy products, boys' and girls' club work, products of domestic science and domestic arts, school exhibits, hand painting, decorating and drawing, manufactured articles, cultivated plants and flowers; and

2. Fifty percent (50%) of the monies shall be distributed by the Department to any county fair association, fair or livestock show approved by the Department for such purposes as determined by the Department. The Department shall develop procedures for any county, fair association, fair or livestock show to apply for these monies and procedures for the amount of distribution of these monies to any applicant.

E. The Commission shall issue occupation licenses for personnel of organization licensees licensed pursuant to Section 208.2 of Title 3A of the Oklahoma Statutes. Each occupation license shall be issued pursuant to Section 204.2 of Title 3A of the Oklahoma

Statutes except that the occupation license fee shall not be more than Ten Dollars (\$10.00) excluding fingerprinting fees.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-384

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