

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 694

By: Hobson of the Senate

and

Glover of the House

COMMITTEE SUBSTITUTE

An Act relating to sports and amusements; amending 3A O.S. 1991, Sections 205.7, as amended by Section 1, Chapter 160, O.S.L. 1993 and 208.2 (3A O.S. Supp. 1993, Section 205.7), which relate to the Oklahoma Horse Racing Act; clarifying name of a Commission; providing exemption to minimum gross purse requirement as a condition to accepting certain wagers by an organization licensee; providing the Oklahoma Horse Racing Commission the power to grant certain authorization; modifying conditions for granting such authorization; modifying racing day limitation for meetings conducted by fair associations; and declaring an emergency.

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

SECTION 1. AMENDATORY 3A O.S. 1991, Section 205.7, as amended by Section 1, Chapter 160, O.S.L. 1993 (3A O.S. Supp. 1993, Section 205.7), is amended to read as follows:

Section 205.7 A. The Oklahoma Horse Racing Commission may authorize an organization licensee during the period it is conducting a race meeting, to accept wagers on the results of out-of-state ~~feature~~ races having a gross purse of Fifty Thousand Dollars (\$50,000.00) or more. Any organization licensee may be exempt from the minimum gross purse requirements of this section if authorized by the Oklahoma Horse Racing Commission. The authorization may be granted by the Oklahoma Horse Racing Commission only if the following conditions are met:

1. The out-of-state races are part of a national pari-mutuel wagering promotion; or

2. The out-of-state races under Fifty Thousand Dollars (\$50,000.00) constitute no more than twenty-five percent (25%) of the total number of out-of-state races simulcast at the organization licensee's racing enclosure during any race meeting. For purposes of such computation all races under paragraph 1 of this subsection shall be excluded. No out-of-state races exceeding the limits specified in this paragraph shall be allowed except with written approval of the official horsemen's representative during the meet in which the races are taken.

The authorization ~~complies~~ must comply with federal laws including but not limited to Chapter 57 of Title 15 of the United States Code; ~~and~~

~~2. Wagering is offered only within the racing enclosure and only within thirty-six (36) hours prior to the running of the out-of-state feature race.~~

B. Wagers on out-of-state ~~feature~~ races conducted pursuant to the provisions of this section shall be placed in a separate pari-mutuel pool or pools.

C. Each organization licensee accepting wagers on an out-of-state ~~feature~~ race shall deduct a percentage of the amount handled which is equal to the percentage deducted from the amount handled by the organization licensee in pari-mutuel pools at the race meeting held by the organization licensee.

D. Each organization licensee shall pay the state share of the organization licensee at the rate applicable to the races of the racing program of the organization licensee for the day on which the out-of-state ~~feature~~ race is offered.

E. Breakage and unclaimed ticket proceeds shall be distributed in the manner applicable to the races of the racing program of the organization licensee for the day on which the out-of-state ~~feature~~ race is offered.

F. Except as otherwise provided by law, the amount remaining from the deduction pursuant to the provisions of subsection C of this section after payment of the state share and the contractual payment to the out-of-state host racing organization, shall be distributed as follows:

1. Fifty percent (50%) to the organization licensee; and
2. Fifty percent (50%) to the organization licensee to be distributed as purses.

G. Any race run at any racetrack licensed by the Oklahoma Horse Racing Commission may be televised to another racetrack licensed by the Oklahoma Horse Racing Commission or may be televised out of state. Pari-mutuel wagering may be permitted on such race at any other licensed track within this state, or at any racetrack or other entity in another state or country. Money wagered on such races may be placed in separate or common pools as determined by rules of the Oklahoma Horse Racing Commission. A written application to televise a race shall contain the details of such race, its agreements and contracts, and shall be submitted to the Oklahoma Horse Racing Commission for its approval at least thirty (30) days prior to the racing event. Such agreement shall comply with all applicable laws of the United States and the laws of this state. The proceeds of the agreement shall be distributed in the same manner as money wagered pursuant to the provisions of Section 205.6 of this title.

SECTION 2. AMENDATORY 3A O.S. 1991, Section 208.2, is amended to read as follows:

Section 208.2 A. 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 requested by the fair association. A race meeting conducted by a fair association shall not exceed fourteen (14) days during a twenty-three-consecutive-day period. 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 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.

44-2-9379

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