

ENGROSSED SENATE
BILL NO. 1260

By: Hobson of the Senate
and
Glover of the House

An Act relating to horse racing; amending 3A O.S. 1991, Section 205.7, as last amended by Section 2, Chapter 125, O.S.L. 1995 and Section 3, Chapter 125, O.S.L. 1995 (3A O.S. Supp. 1995, Sections 205.7 and 205.7a), which relate to out-of-state and televised races; clarifying and conforming language; deleting gross purse requirement on out-of-state races; limiting number of out-of-state programs on which organization licensee may accept results when not conducting live racing; defining full race program; allowing Oklahoma Horse Racing Commission to authorize licensee to accept wagers on individual out-of-state races; limiting number of days on which licensees may be authorized to accept wagering on out-of-state races; making exception; deleting requirement to place certain wagers in separate pool and allowing these wagers to be placed in separate pool or combined with other pools; clarifying and conforming language; requiring certain organization licensee to make application for certain number of racing days with certain exception; requiring certain percent of monies wagered be remitted to State Auditor and Inspector for certain purpose; clarifying days

considered as racing days; 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 last amended by Section 2, Chapter 125, O.S.L. 1995 (3A O.S. Supp. 1995, 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~~ hours it is conducting ~~a race meeting~~ live racing or accepting pari-mutuel wagers on races run at any racetrack licensed by the Commission, to accept wagers on the results of ~~out-of-state 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:~~

~~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 not more than two out-of-state full racing programs per day for simulcast races and may authorize an organization licensee during the hours it is not conducting live racing to accept wagers on the results of not more than four out-of-state full racing programs per day for simulcast~~

racers. Provided, at no time shall any organization licensee be authorized to accept pari-mutuel wagering on more than six out-of-state full racing programs on any single day for simulcast races. For the purposes of this section, a full racing program constitutes fifty percent (50%) or more of the races being run at the out-of-state track. The Oklahoma Horse Racing Commission may further authorize an organization licensee to accept wagers on individual out-of-state simulcast races in addition to the out-of-state full racing programs authorized by this subsection.

B. 1. Except as provided in paragraph 2 of this subsection, on days during which an organization licensee is not conducting live racing, the number of days an organization licensee may be authorized to accept wagering on out-of-state full racing programs pursuant to subsection A of this section is limited to fifty percent (50%) of the days the licensee conducts live racing.

2. On days during which an organization licensee is not conducting live racing, the number of days an organization licensee licensed pursuant to Section 208.2 of this title may be authorized to accept wagering on out-of-state full racing programs pursuant to subsection A of this section is limited to one hundred percent (100%) of the days the organization licensee conducts live racing.

C. Notwithstanding the limitations contained in subsection B of this section, an organization licensee, including an organization licensee licensed pursuant to Section 208.2 of this title, may accept wagers on races run at any racetrack licensed by the Oklahoma Horse Racing Commission and/or may accept wagers on out-of-state races where wagers on those out-of-state races are being accepted by any racetrack licensed by the Oklahoma Horse Racing Commission pursuant to subsection A of this section.

D. The authorization provided in subsection A of this section must comply with federal laws including, but not limited to, Chapter 57 of Title 15 of the United States Code.

~~B.~~ E. Wagers on out-of-state races conducted pursuant to the provisions of this section ~~shall~~ may be placed in a separate pari-mutuel pool or pools, or may be combined with the pari-mutuel pool or pools of the track where the race is run, or may be combined with other organization licensees licensed by the Oklahoma Horse Racing Commission and their wagering facilities located within this state.

~~C.~~ F. Each organization licensee accepting wagers on an out-of-state 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 or meetings held by the organization licensee if the wagers on the out-of-state races are not being combined with the pari-mutuel pool or pools where the race or races are being run.

~~D.~~ ~~Each~~ G. For the day on which the out-of-state race is offered, 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 race is offered.~~

~~E.~~ H. 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 race is offered.

~~F.~~ I. Except as otherwise provided by law, the amount remaining from the deduction pursuant to the provisions of subsection ~~C~~ F 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.

J. An organization licensee accepting wagers on out-of-state full racing programs pursuant to subsection A of this section shall,

for any year in which it intends to accept such out-of-state full racing programs, make application to the Commission for not less than eighty percent (80%) of the number of racing days awarded for each race meeting to that licensee in 1996.

K. Notwithstanding subsection J of this section, any organization licensee may apply for less than eighty percent (80%) of the number of race days for a designated race meeting awarded to the licensee in 1996 if such application is approved by the organization licensee's official horsemen's representative at that licensee's race meeting.

L. One-tenth of one percent (1/10 of 1%) of the total monies wagered at the racing enclosure on out-of-state simulcast races shall be remitted by the organization licensee from the amount retained pursuant to this section to the State Auditor and Inspector for the purpose of auditing racing facilities.

SECTION 2. AMENDATORY Section 3, Chapter 125, O.S.L. 1995 (3A O.S. Supp. 1995, Section 205.7a), is amended to read as follows:

Section 205.7a A. 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 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 paragraph 1 of subsection B, ~~paragraph 1 of~~ in subsection D, and ~~paragraph 1 of~~ in subsection E of Section 205.6 of ~~Title 3A of the Oklahoma Statutes~~ this title and Section 208.2 of ~~Title 3A of the Oklahoma Statutes~~ this title.

B. For the days on which a licensed track within this state does not conduct live racing but conducts pari-mutuel wagering only on races televised from another licensed track within this state and/or on out-of-state races, the conducting of pari-mutuel wagering shall not be considered racing days for the purposes of Section 205.2 of ~~Title 3A of the Oklahoma Statutes~~ this title.

C. When any licensed track within this state conducts pari-mutuel wagering on races televised from another licensed track within this state, the receiving licensee shall not retransmit the sending licensee's signal without the express permission of the sending licensee.

D. Breakage and unclaimed ticket proceeds shall be distributed in the manner applicable to the races of the racing program of the organization licensees who are sending and receiving the racing program.

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.

Passed the Senate the 6th day of March, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker

of the House of
Representatives