

ENGROSSED HOUSE
BILL NO. 1246

By: Stites of the House

and

Dickerson of the Senate

An Act relating to the Oklahoma Horse Racing Act; amending 3A O.S. 1991, Section 203.4, as last amended by Section 1, Chapter 297, O.S.L. 1999 (3A O.S. Supp. 2000, Section 203.4), which relates to compensation of certain track personnel; extending suspension of certain reimbursements; amending 3A O.S. 1991, Section 208.1, which relates to unclaimed ticket proceeds; modifying time period for persons to collect unclaimed ticket proceeds; modifying procedure with regard to unclaimed ticket proceeds; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 3A O.S. 1991, Section 203.4, as last amended by Section 1, Chapter 297, O.S.L. 1999 (3A O.S. Supp. 2000, Section 203.4), is amended to read as follows:

Section 203.4 A. 1. At each pari-mutuel race meeting held pursuant to the provisions of the Oklahoma Horse Racing Act the Oklahoma Horse Racing Commission shall employ three individuals to be stewards. At non-pari-mutuel race meetings and for training races, the organization licensee may employ its own stewards in accordance with the rules of the American Quarter Horse Association or have the Commission employ the stewards as provided in this subsection. The Commission shall designate one of the individuals as chief steward and the other two individuals as assistant stewards. If employed by the Commission, the compensation of the stewards, including but not limited to salaries, benefits and other reimbursable expenses as determined by the Commission, shall be paid by the Commission and the Commission shall be reimbursed by the organization licensee. Said reimbursed funds shall be deposited by

the Commission to the credit of the General Revenue Fund of the State Treasury.

2. Reimbursement of the Commission by the organization licensee pursuant to paragraph 1 of this subsection shall be suspended for two (2) years, effective July 1, ~~1999~~ 2001.

B. 1. All other racing personnel shall be employed for race meetings as the Commission deems necessary. All other racing personnel required by the Commission at non-pari-mutuel race meetings or training races may be employed by the organization licensee in accordance with the rules of the American Quarter Horse Association. The compensation of racing personnel employed by the Commission, including but not limited to salaries, benefits and reimbursable expenses, shall be paid by the Commission and, except for license clerks, the Commission shall be reimbursed by the organization licensee. Said reimbursed funds shall be deposited by the Commission to the credit of the General Revenue Fund of the State Treasury.

2. Reimbursement of the Commission by the organization licensee pursuant to paragraph 1 of this subsection shall be suspended for two (2) years, effective July 1, ~~1999~~ 2001.

C. The stewards and other racing officials at pari-mutuel race meetings, at non-pari-mutuel race meetings and at training races shall enforce the rules and regulations of the Commission and the provisions of the Oklahoma Horse Racing Act in the manner provided by law and shall render written reports of the activities and conduct of the race meetings to the Commission. In enforcing the rules of the Commission and officiating at races, the stewards shall not be required to comply with provisions of the Oklahoma Open Meeting Act but shall be required to comply with applicable provisions of the Administrative Procedures Act.

SECTION 2. AMENDATORY 3A O.S. 1991, Section 208.1, is amended to read as follows:

Section 208.1 A. Any individual who claims to be entitled to any part of a pari-mutuel pool conducted by an organization licensee and who fails to ~~claim~~ receive the money due ~~him prior to the completion of the race meeting at which the pool was formed~~ may file the following with the organization licensee within sixty (60) days after the ~~close of the race meeting~~ wager has been made:

1. A verified claim on a form prescribed and furnished by the Oklahoma Horse Racing Commission setting forth such information as may be necessary to identify the particular pool and the amount claimed therefrom; and

2. A substantial portion of the pari-mutuel ticket upon which the claim is based, sufficient to identify the particular racetrack, race, and horse involved, the amount wagered, and whether the ticket was a win, place, or show ticket.

B. Upon proper application by an individual or an organization licensee the Commission shall hear any disputed claim and consider the proof offered in its support. Unless the claimant satisfactorily establishes ~~his~~ the right to participate in the pool, the claim shall be rejected. If the claim is allowed, the organization licensee shall pay the amount of the claim to the claimant upon order of the Commission.

C. All unclaimed ticket proceeds shall be remitted by the organization licensee to the Commission for deposit in the Oklahoma Breeding Development Fund Special Account ~~on the sixty-first day after the close of the race meeting~~ as follows:

1. The payment for unclaimed ticket proceeds shall be accompanied by a completed form as prescribed by the Commission; and

2. The organization licensee shall remit calendar quarterly payments of all unclaimed ticket proceeds which have been in the organization licensee's possession for no fewer than sixty (60) days after the wager has been made, regardless of whether the wager was

from live racing or simulcasting or during or between live race meetings.

SECTION 3. This act shall become effective July 1, 2001.

SECTION 4. 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 House of Representatives the 5th day of March, 2001.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2001.

Presiding Officer of the Senate