

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 688

By: Wilkerson of the Senate

and

Stanley of the House

AS INTRODUCED

An Act relating to the Oklahoma Horse Racing Act; granting to organization licensees authorization to conduct specified Class II games; stating exceptions; requiring games be conducted within licensee's enclosure or adjacent thereto; prescribing minimum number of live racing days that licensee shall conduct if conducting games; stating exception for designated race meeting; prohibiting conduct of games during specified hours on Sunday; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 205.3a of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. Each organization licensee granted a license to conduct a race meeting pursuant to Title 3A of the Oklahoma Statutes may, notwithstanding other provisions of law, conduct Class II gaming as defined by the Indian Gaming Regulatory Act, P.L. 100-497, 25 U.S.C. 2701, provided the term "Class II gaming" is not construed as including any banking card games, including baccarat, chemin de fer, blackjack (21), or electronic or electronic facsimiles of any game of chance or slot machines of any kind, as follows:

1. The game of chance commonly known as bingo, whether or not electronic, computer, or other technological aids are used in connection therewith:

- a. which is played for prizes, including monetary prizes, with cards bearing numbers or other designations,
- b. in which the holder of the card covers the numbers or other designations when objects, similarly numbered or designated, are drawn or electronically determined, and
- c. in which the game is won by the first person covering a previously designated arrangement of numbers or designations on the cards, including, if played at the same location, pull-tabs, lotto punch boards, tip jars, instant bingo, and other games similar to bingo;

2. Card games that:

- a. are explicitly authorized by the laws of this state, or
- b. are not expressly prohibited by the laws of this state and are played at any location in this state, but only if the card games are played in conformity with those laws and rules, if any, of this state regarding hours or periods of operation of such card games or limitations on wagers or pot sizes in such card games; and

3. Any gaming as conducted by federally recognized Indian tribes within this state and as specifically approved by the National Indian Gaming Commission.

B. The gaming permitted pursuant to subsection A of this section shall be conducted within the enclosure of the organization licensee or on property owned by the organization licensee that is adjacent to the enclosure.

C. An organization licensee awarded race days in the year 1996 shall, for any year in which it intends to conduct gaming pursuant to this section, conduct not fewer than eighty percent (80%) of the

number of live racing days awarded for each race meeting to that organization licensee in 1996.

D. An organization licensee first awarded race days after the year 1996 shall, for any year in which it intends to conduct gaming pursuant to this section, conduct, with respect to the number of live racing days awarded in that organization licensee's first year of operation:

1. In the first year, sixty percent (60%) of the number of original live racing days awarded;

2. In the second year, seventy percent (70%) of the number of original live racing days awarded; and

3. In the third and subsequent years, eighty percent (80%) of the number of original live racing days awarded.

E. Notwithstanding subsections C and D of this section, any organization may conduct fewer than the number of live racing days required by subsections C and D of this section for a designated race meeting if the reduction in number of live racing days conducted is approved by the organization licensee's official horsemen's representative at that designated race meeting and by the Oklahoma Horse Racing Commission.

F. Gaming authorized by this section shall not be conducted on Sunday between the hours of 3:00 a.m. and 12:00 p.m.

SECTION 2. This act shall become effective November 1, 2001.

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