

ENGROSSED HOUSE
BILL NO. 1116

By: Bengé and Newport of the
House

and

Morgan and Crutchfield of
the Senate

An Act relating to the Oklahoma Horse Racing Commission; amending Section 1, Chapter 487, O.S.L. 2004 (3A O.S. Supp. 2004, Section 282), which relates to Oklahoma Horse Racing Commission fees; modifying provisions related to certain assessments; amending Section 2, Chapter 487, O.S.L. 2004, which relates to budget limits for the Oklahoma Horse Racing Commission; modifying budget limits; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 487, O.S.L. 2004 (3A O.S. Supp. 2004, Section 282), is amended to read as follows:

Section 282. A. The Oklahoma Horse Racing Commission is authorized to charge an application fee of Fifty Thousand Dollars (\$50,000.00) to each organization licensee which desires to conduct gaming pursuant to the State-Tribal Gaming Act or which receives any funds as a "recipient licensee" as that term is defined by the State Tribal Gaming Act and desires to conduct pari-mutuel wagering in this state. Such fee must be paid prior to any organization licensee being authorized by the Oklahoma Horse Racing Commission to conduct gaming pursuant to the State-Tribal Gaming Act.

B. In addition to the application fee authorized in subsection A of this section, the Oklahoma Horse Racing Commission is hereby authorized to assess a fee upon each organization licensee authorized by the State-Tribal Gaming Act to conduct gaming

authorized by the State-Tribal Gaming Act to provide adequate funding to the Oklahoma Horse Racing Commission for the regulation of such gaming in this state.

C. The assessment authorized by subsection B shall be proportional to the number of player terminals an organization licensee is licensed to operate pursuant to the State-Tribal Gaming Act.

D. The Commission may provide that each licensee shall pay any assessment levied pursuant to subsection B of this section on a quarterly or annual basis. Notice of the assessment shall be sent by certified mail, return receipt requested, to each licensee. Each licensee shall pay the amount assessed to the Commission for deposit to the Oklahoma Horse Racing Commission Gaming Regulation Revolving Fund created in subsection E of this section. The Commission shall establish the dates by which such assessment shall be due.

E. The application fee authorized in subsection A of this section and any assessment authorized in subsection B of this section collected by the Commission shall be deposited in the Oklahoma Horse Racing Commission Gaming Regulation Revolving Fund hereby created. The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of the monies received by the Commission from any assessment levied pursuant to the provisions of this section and any other monies designated for deposit thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Commission to pay the costs, both direct and indirect, of the Commission incurred to regulate gaming conducted by an organization licensee pursuant to the State-Tribal Gaming Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

F. The Legislature shall establish budgetary limits for the regulation of such gaming by the Commission. For the fiscal year ending June 30, 2005, the total of all assessments levied pursuant to subsection B of this section shall not exceed ~~One Hundred Fifty Thousand Dollars (\$150,000.00)~~ Two Hundred Fifty Thousand Dollars (\$250,000.00). For subsequent fiscal years, the total of all assessments levied pursuant to this section shall not exceed the amount of the total budgetary limits minus the amount of any monies appropriated by the Legislature for such purpose.

SECTION 2. AMENDATORY Section 2, Chapter 487, O.S.L. 2004, is amended to read as follows:

Section 2. For the fiscal year ending June 30, 2005, the Oklahoma Horse Racing Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$ 493,172.00	\$2,093,172.00
Gaming Regulation		350,000.00
		<u>450,000.00</u>
Race Day Expenses	1,110,911.00	1,726,911.00
Law Enforcement	232,087.00	1,832,087.00
Oklahoma Bred Program	<u>22,012.00</u>	<u>262,012.00</u>
TOTAL	\$1,858,182.00	\$6,264,182.00
		<u>\$6,364,182.00</u>

The agency shall develop outcome-based performance measures for each budget category.

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 House of Representatives the 14th day of March, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2005.

Presiding Officer of the Senate