

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 820

By: Nichols of the Senate  
and  
Terrill of the House

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7 ( amusements and sports - Oklahoma Breeding  
8 Development Fund Special Account -  
9 effective date )

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12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
13 entire bill and insert

14 "An Act relating to amusements and sports; amending  
15 3A O.S. 2001, Section 208.3, as last amended by  
16 Section 3, Chapter 274, O.S.L. 2006 (3A O.S. Supp.  
17 2009, Section 208.3), which relates to the Oklahoma  
18 Breeding Development Fund Special Account;  
19 increasing amount that may be spent on  
administration; expanding permissible spending  
purposes to include funding of entities caring for  
certain animals; providing for establishment of  
eligibility criteria; and providing an effecting  
date.

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

22 SECTION 1. AMENDATORY 3A O.S. 2001, Section 208.3, as  
23 last amended by Section 3, Chapter 274, O.S.L. 2006 (3A O.S. Supp.  
24 2009, Section 208.3), is amended to read as follows:

1 Section 208.3 A. There is hereby created in the State Treasury  
2 an agency special account for the Oklahoma Horse Racing Commission,  
3 to be designated the "Oklahoma Breeding Development Fund Special  
4 Account". The fund shall be a continuing fund, not subject to  
5 fiscal year limitations, and shall consist of all monies received by  
6 the Commission for deposit in the fund pursuant to Section 205.6 of  
7 this title and from revenue received as breakage and from unclaimed  
8 pari-mutuel tickets. All monies accruing to the credit of ~~said~~ the  
9 fund are hereby appropriated and may be budgeted and expended by the  
10 Commission for the purposes specified in subsection B of this  
11 section. Expenditures from ~~said~~ the fund shall be made upon  
12 vouchers prescribed by the State Treasurer and issued by the  
13 Commission against the Oklahoma Breeding Development Fund Special  
14 Account. The official registering agency designated by the  
15 Commission pursuant to subsection D of this section shall verify the  
16 current eligibility of a participating horse prior to distributing  
17 any purse supplement, stake, reward or award from the Oklahoma  
18 Breeding Development Fund Special Account. Any person entitled to  
19 monies from the Oklahoma Breeding Development Fund Special Account  
20 as a purse supplement, stake, reward, or award ("awards"), will  
21 forfeit such monies if that person fails to comply with all  
22 requirements necessary for earning the awards. Further, any such  
23 person will forfeit such monies if, within one (1) year from the  
24 date of the race in which such award was earned, that person does

1 not submit the state voucher for payment or for replacement in the  
2 event of an expired voucher, or if that person fails to submit all  
3 documentation required by the Oklahoma Horse Racing Commission. In  
4 such event, monies accrued from forfeiture will be returned to the  
5 Oklahoma Breeding Development Fund Special Account for expenditure  
6 by the Commission for the purposes specified in subsection B of this  
7 section.

8 B. No monies shall be expended by the Commission from the  
9 Oklahoma Breeding Development Fund Special Account except for any of  
10 the following purposes:

11 1. To provide purse supplements to owners of Oklahoma-bred  
12 horses;

13 2. To provide stakes and rewards to be paid to the owners of  
14 the winning Oklahoma-bred horses in certain horse races;

15 3. To provide stallion awards to the owner of the Oklahoma  
16 stallion which is the sire of an Oklahoma-bred horse if such a horse  
17 wins any race conducted at a race meeting;

18 4. To provide breeders awards to the owner of the Oklahoma-  
19 registered mare which is the dam of an Oklahoma-bred horse if such a  
20 horse wins any race conducted at a race meeting;

21 5. To provide monies for equine research through state  
22 institutions accredited for the same;

23 6. To provide monies for use in marketing, promoting and  
24 advertising the Oklahoma-Bred Program and the Oklahoma horse racing

1 industry to the people of Oklahoma, the United States and abroad;  
2 and

3 7. To provide for the administration of the Oklahoma Breeding  
4 Development Program. The Oklahoma Horse Racing Commission is hereby  
5 authorized to utilize up to ~~ten percent (10%)~~ fifteen percent (15%)  
6 of the prior year's receipts for administration. All expenses  
7 reimbursed as administrative pursuant to this subsection shall be  
8 itemized and audited pursuant to subsection E of this section. Any  
9 monies transferred from the Oklahoma Breeding Development Fund  
10 Special Account to the Oklahoma Breeding Development Revolving Fund  
11 for administrative reimbursement found to be unsubstantiated,  
12 excessive or ineligible for reimbursement by ~~said~~ the audit shall be  
13 returned to the Oklahoma Breeding Development Fund Special Account  
14 within thirty (30) days of the conclusion of the audit; and

15 8. To provide, upon the request of an official horsemen's  
16 representative organization for a breed, funding to any nonprofit  
17 entity that is based in Oklahoma and exempt from taxation pursuant  
18 to the provisions of the United States Internal Revenue Code, 26  
19 U.S.C. Section 501(c), for the purpose of providing care of retired  
20 and unwanted Oklahoma-bred racing stock of the particular breed of  
21 horse represented by the requesting organization.

22 C. By rule the Commission shall:

23 1. Define the term Oklahoma-bred horse;

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1           2. Qualify stallions for participation in Oklahoma-bred  
2 stallion awards;

3           3. Provide for the registration of Oklahoma-domiciled mares and  
4 stallions and Oklahoma-bred horses. No such horse shall compete in  
5 the races limited to Oklahoma-bred horses unless registered with the  
6 Commission. The Commission may prescribe such forms as are  
7 necessary to determine the eligibility of such horses; provided,  
8 breeding stallions shall be eligible for registration in the  
9 Oklahoma-bred breeding program until July 1 of the breeding year.  
10 No person shall knowingly prepare or cause preparation of an  
11 application for registration of such foals which contains false  
12 information;

13           4. Establish a schedule of fees for the registration of  
14 Oklahoma-domiciled mares and stallions and Oklahoma-bred horses  
15 sufficient to provide for all expenses incurred in the  
16 administration of the Oklahoma Breeding Development Fund Special  
17 Account; ~~and~~

18           5. Allow a mare registered as Oklahoma-bred racing stock which  
19 has not been registered as an Oklahoma broodmare prior to foaling to  
20 be registered as an Oklahoma broodmare upon payment of the  
21 registration fee and a late fee not to exceed Two Hundred Dollars  
22 (\$200.00), which action shall entitle the foals of the mare to be  
23 registered as Oklahoma-bred horses provided all other qualifications  
24 of the Commission are met; and

1        6. Establish criteria which a nonprofit entity based in  
2 Oklahoma must meet to be eligible to receive funds for the purpose  
3 of caring for retired and unwanted Oklahoma-bred racing stock.

4        D. The Commission may contract with and designate an official  
5 registering agency to implement the registration of horses and the  
6 payment of awards from the Oklahoma Breeding Development Fund  
7 Special Account. The official registering agency shall operate  
8 under the supervision of the Commission and be subject to the rules  
9 and regulations of the Commission. The official registering agency  
10 shall receive no compensation except fees received for registration  
11 of horses. In the event the Commission elects to perform as the  
12 official registering agency rather than contracting for such  
13 services, the Commission shall deposit all registration fees from  
14 the registration of Oklahoma-bred horses into the Oklahoma Breeding  
15 Development Fund Special Account.

16        E. The State Auditor and Inspector shall audit the Oklahoma  
17 Breeding Development Fund Special Account on an annual basis. The  
18 expense of the audit shall be paid from ~~said~~ the Oklahoma Breeding  
19 Development Fund Special Account.

20        SECTION 2. This act shall become effective November 1, 2010."  
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1 Passed the House of Representatives the 21st day of April, 2010.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2010.

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9 Presiding Officer of the Senate