

1 **SENATE FLOOR VERSION**

2 April 4, 2013

3 ENGROSSED HOUSE
4 BILL NO. 1886

By: Armes and Scott of the
House

5 and

6 Sparks of the Senate

7
8
9 An Act relating to amusements and sports; amending 3A
10 O.S. 2011, Section 208.2, as amended by Section 1,
Chapter 177, O.S.L. 2012 (3A O.S. Supp. 2012, Section
11 208.2), which relates to race meetings; establishing
preference system; providing approval authority over
12 certain contracts; providing an effective date; and
declaring an emergency.

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

16 SECTION 1. AMENDATORY 3A O.S. 2011, Section 208.2, as
17 amended by Section 1, Chapter 177, O.S.L. 2012 (3A O.S. Supp. 2012,
18 Section 208.2), is amended to read as follows:

19 Section 208.2 A. Any fair association organized pursuant to
20 the provisions of Title 2 of the Oklahoma Statutes for Agricultural
21 Fair Corporations, the Free Oklahoma State Fair, Free District
22 Fairs, and Agricultural and Industrial Expositions and Fairs or any
23 existing county, district, or state fair as of January 1, 1983,
24 which qualifies as an organization licensee may apply to the

1 Oklahoma Horse Racing Commission for one race meeting each year to
2 be held within the boundaries of the county where the fair
3 association is located or at the racing enclosure of another
4 organization licensee in the state that agrees to host the race
5 meeting; provided however, if more than one organization licensee
6 wishes to hold such race meeting for a fair association, preference
7 shall be given by the Oklahoma Horse Racing Commission to the
8 organization licensee located in the county closest to the county
9 where the fair association is located. Provided further, the
10 Oklahoma Horse Racing Commission shall have the authority to review
11 and approve or deny any contract between a fair association and
12 another organizational licensee for the purpose of running a race
13 meeting as provided herein. The Commission may set the number of
14 days and the dates of such race meeting requested by the fair
15 association. A race meeting conducted by a fair association shall
16 not exceed sixteen (16) days during a twenty-eight-consecutive-day
17 period or a fair association shall be permitted to conduct a race
18 meeting of twenty (20) to twenty-two (22) days during a thirty-
19 eight-consecutive-day period. A race meeting conducted pursuant to
20 the provisions of this section shall be conducted in such a manner
21 that all net profit after payment of expenses of conducting the race
22 meeting, including compensation to the organization licensee hosting
23 the race meeting, shall accrue to the fair association.

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1 B. Each organization licensee that, pursuant to this section,
2 holds a race meeting at which the pari-mutuel system of wagering is
3 conducted shall retain the following amounts from the monies
4 wagered:

5 1. On win, place, and show wagers, an amount equal to eighteen
6 percent (18%) shall be retained and distributed as follows:

7 a. two-thirds (2/3) of the eighteen percent (18%) to the
8 organization licensee, and

9 b. one-third (1/3) of the eighteen percent (18%) to
10 purses for participating horses;

11 2. On race wagers involving two races or two horses, an amount
12 equal to twenty-one percent (21%) shall be retained and distributed
13 as follows:

14 a. one percent (1%) shall be remitted to the Commission,
15 at such intervals as required by the Commission, for
16 deposit in the Oklahoma Breeding and Development Fund
17 Special Account for participating horses,

18 b. two-thirds (2/3) of the balance of the amount retained
19 to the organization licensee, and

20 c. one-third (1/3) of the balance of the amount retained
21 to purses for participating horses;

22 3. On race wagers involving three or more races or three or
23 more horses, an amount equal to not less than twenty-one percent
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1 (21%) nor more than twenty-five percent (25%) shall be retained and
2 distributed as follows:

3 a. one percent (1%) shall be remitted to the Commission,
4 at such intervals as required by the Commission, for
5 deposit in the Oklahoma Breeding and Development Fund
6 Special Account for participating horses,

7 b. two-thirds (2/3) of the balance of the amount retained
8 to the organization licensee, and

9 c. one-third (1/3) of the balance of the amount retained
10 to purses for participating horses; and

11 4. a. Wagers conducted pursuant to Section 205.7 of this
12 title by an organization licensee pursuant to this
13 section whether or not such wagers are accepted during
14 the live race meeting of the organization licensee
15 shall be exempt from the provisions of subsection E of
16 Section 205.7 of this title.

17 b. Except as otherwise provided by law, the amount
18 remaining after the deduction made pursuant to the
19 provisions of subsection D of Section 205.7 of this
20 title and after the contractual payment to the out-of-
21 state host racing organization shall be distributed as
22 follows: an amount equal to two percent (2%) of the
23 monies wagered shall be distributed to the
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1 organization licensee and the balance shall be
2 distributed as follows:

- 3 (1) fifty percent (50%) to the organization licensee,
4 and
- 5 (2) fifty percent (50%) to the organization licensee
6 to be distributed as purses.

7 C. Any organization licensed pursuant to this section and
8 conducting pari-mutuel wagering on races being run at another
9 organization licensee within the State of Oklahoma shall retain from
10 the monies being wagered an amount equal to the amount being
11 retained from wagers by the sending track. The amount of money
12 retained shall be distributed as follows:

- 13 1. Fifty percent (50%) to the organization licensee; and
- 14 2. Fifty percent (50%) to the organization licensee as purses
15 for participating horses.

16 D. The Commission shall issue occupation licenses for personnel
17 of organization licensees licensed pursuant to this section. Each
18 occupation license shall be issued pursuant to Section 204.2 of this
19 title except that the occupation license fee shall not be more than
20 Ten Dollars (\$10.00) excluding fingerprinting fees.

21 E. All monies retained or to be distributed for purses shall be
22 held in trust by the Horsemen's Bookkeeper pursuant to Section
23 208.13 of this title for the duly designated horsemen's organization
24 for purses.

1 SECTION 2. This act shall become effective July 1, 2013.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

6 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
7 April 4, 2013 - DO PASS
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