

1 **SENATE FLOOR VERSION**

2 February 4, 2014

3 **AS AMENDED**

4 SENATE BILL NO. 1730

5 By: Griffin and Johnson  
6 (Constance) of the Senate

7 and

8 DeWitt of the House

9 **[ amusements and sports - Bookkeeper - cancellation  
10 of uncashed disbursements - effective date ]**

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

12 SECTION 1. AMENDATORY 3A O.S. 2011, Section 208.13, is  
13 amended to read as follows:

14 Section 208.13. A. Each organization licensee shall utilize a  
15 Horsemen's Bookkeeper who shall, at a minimum, maintain the records  
16 and accounts prescribed in this section or in the rules of the  
17 Oklahoma Horse Racing Commission. The Horsemen's Bookkeeper may be  
18 an employee of the organization licensee, may be employed jointly by  
19 two or more organization licensees, or may be an entity which  
20 contracts with one or more organization licensees.

21 B. The records of the Horsemen's Bookkeeper shall include the  
22 following:

23 1. The name, mailing address, social security number or federal  
24 tax identification number, and the state or country of residence of

1 each horse owner, trainer, and jockey participating at a race  
2 meeting who has funds due or on deposit in a horsemen's account; and

3 2. All statements of partnerships, syndicates, corporations,  
4 assignments of interest, lease agreements, and registrations of  
5 authorized agents.

6 C. All records of the Horsemen's Bookkeeper shall be kept  
7 separate from the records of the organization licensee or licensees.

8 D. All funds on account with the Horsemen's Bookkeeper shall be  
9 maintained as follows:

10 1. In one or more trust accounts which are separate from all  
11 accounts of the organization licensee with each designated as a  
12 "Horsemen's Trust Account"; and

13 2. In trust accounts which are fully insured by the Federal  
14 Deposit Insurance Corporation or the Federal Savings and Loan  
15 Insurance Corporation.

16 E. 1. The Horsemen's Bookkeeper shall receive, maintain, and  
17 disburse the purses of each race and all stakes, entrance money,  
18 jockey fees, purchase money in claiming races, along with all  
19 applicable taxes and other monies that properly come into the  
20 possession of the Horsemen's Bookkeeper.

21 2. All disbursements pursuant to this subsection shall be made  
22 within forty-eight (48) hours of approval by the stewards unless a  
23 protest or appeal has been filed with the stewards or the  
24 Commission, except that minimum jockey mount fees may be disbursed

1 prior to such approval. All disbursements subject to a protest or  
2 appeal shall be made within forty-eight (48) hours of receipt of a  
3 dismissal or a final non-appealable order disposing of such protest  
4 or appeal.

5 3. Except as otherwise provided in this subsection and in the  
6 absence of a prior request, all disbursements pursuant to this  
7 subsection shall be made within fifteen (15) days after the last  
8 race day of the race meeting. Disbursements made by the Horsemen's  
9 Bookkeeper for an amount less than Fifty Dollars (\$50.00) and which  
10 remain uncashed after a period of not less than three (3) years may  
11 be canceled by the Horsemen's Bookkeeper with the approval of the  
12 official horsemen's representative organization and the Oklahoma  
13 Horse Racing Commission provided the funds are credited back for use  
14 as a payment of purses for participating horses of the same breed.

15 F. The Horsemen's Bookkeeper may accept, hold, and pay monies  
16 due and belonging to other organizations, licensees, or meetings;  
17 provided, prompt payment or return shall be made to the person or  
18 entity to which it is due.

19 G. All records of the Horsemen's Bookkeeper shall be subject to  
20 inspection and audit by the Commission at any time.

21 H. The Horsemen's Bookkeeper and the organization licensee or  
22 licensees employing the Horsemen's Bookkeeper shall be subject to  
23 disciplinary action by the Commission.

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1 I. The Horsemen's Bookkeeper, each organization licensee  
2 employing the Horsemen's Bookkeeper, and the managing officers of  
3 each organization licensee employing the Horsemen's Bookkeeper,  
4 shall be jointly and severally responsible to ensure that the  
5 amounts retained from the pari-mutuel handle are distributed  
6 according to the Oklahoma Horse Racing Act and the orders and rules  
7 of the Commission.

8 SECTION 2. This act shall become effective November 1, 2014.

9 COMMITTEE REPORT BY: COMMITTEE ON FINANCE  
10 February 4, 2014 - DO PASS AS AMENDED

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