

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 2965 as follows:

1. On Page 1, Line 15, through Page 11, Line 24, by deleting Sections 1 and 2 in their entirety and adding a new Section 1 to read as attached;
2. By renumbering subsequent sections;
3. On Page 13, Lines 4 through 7 by deleting all new language; and
4. By amending the title to conform.

Submitted by:

Senator Coleman

Coleman-CN-FA-HB2965

4/22/2024 4:27 PM

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☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 "SECTION 1. AMENDATORY 3A O.S. 2021, Section 205.2, is
2 amended to read as follows:
3 Section 205.2. A. Applications for organization licenses must be
4 filed with the Commission at a time and place prescribed by the
5 rules and regulations of the Commission. Beginning with
6 organization license applications for the 1994 calendar year, the
7 Commission shall develop and use separate application forms for
8 applicants requesting an organization license to conduct horse
9 racing with the pari-mutuel system of wagering and applicants
10 requesting an organization license to conduct horse racing without
11 the pari-mutuel system of wagering. For use for the 1993 calendar
12 year organization licenses, an applicant requesting to conduct
13 horse racing without the pari-mutuel system of wagering shall make
14 application with the Commission on American Quarter Horse
15 Association application forms. Applications for an organization
16 license to conduct horse racing without the pari-mutuel system of
17 wagering for the 1993 calendar year shall be filed with the
18 Commission on or before the 1st day of August, 1992. Each
19 applicant requesting an organization license to conduct horse
20 racing with the pari-mutuel system of wagering shall include with
21 each application a nonrefundable license fee equal to the sum of
22 Five Thousand Dollars (\$5,000.00) for each race meeting and Two
23 Hundred Dollars (\$200.00) for each racing day requested. Provided,
24 the fee for Five Thousand Dollars (\$5,000.00) shall be waived for

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1 applicants applying pursuant to the provisions of Section 208.2 of
2 this title. Each applicant requesting an organization license to
3 conduct horse racing without the pari-mutuel system of wagering or
4 to conduct accredited work or training races shall include with
5 each application a nonrefundable license fee of Five Hundred
6 Dollars (\$500.00) for each race meeting. Such fee shall be in the
7 form of a certified check or bank draft payable to the order of the
8 Commission. Within thirty (30) days after the date specified for
9 filing, the Commission shall examine the applications for
10 compliance with the provisions of the Oklahoma Horse Racing Act and
11 such rules and regulations as may be promulgated by the Commission.
12 If any application does not comply with the provisions of the
13 Oklahoma Horse Racing Act or the rules and regulations promulgated
14 by the Commission, the application may be rejected or the
15 Commission may direct the applicant to comply with the provisions
16 of the Oklahoma Horse Racing Act or the rules and regulations of
17 the Commission within a reasonable time as determined by the
18 Commission. Upon proof by the applicant of compliance, the
19 Commission may reconsider the application. If it is found to be in
20 compliance with the provisions of the Oklahoma Horse Racing Act and
21 the rules and regulations of the Commission, the Commission may
22 then issue an organization license to the applicant.

23 B. The Commission may exercise discretion in the issuing of
24 organization licenses to qualified applicants. The Commission may

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1 also determine and grant racing dates different from those
2 requested by the applicants in their applications.

3 C. The Commission may determine and grant the number of racing
4 days to be allotted to each applicant. When granting organization
5 licenses and allocating dates for race meetings which will, in the
6 judgment of the Commission, be conducive to the best interests of
7 the public and the sport of horse racing, the Commission shall give
8 consideration to:

9 1. The character, reputation, experience, and financial
10 integrity of each applicant and of any other person that:

- 11 a. directly or indirectly controls such applicant, or
12 b. is directly or indirectly controlled by such
13 applicant or by a person who directly or indirectly
14 controls such applicant; and

15 2. The facilities and accommodations of the applicant for the
16 conduct of race meetings; and

17 3. The location of the race meeting of the applicant in
18 relation to the principal centers of population of this state; and

19 4. The highest prospective total revenue to be derived by the
20 state from the conduct of the race meeting.

21 D. Prior to the issuance of an organization license to conduct
22 pari-mutuel race meetings, the applicant shall file with the
23 Commission a bond payable to the State of Oklahoma in an amount
24 determined by the Commission which is not less than Two Hundred

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1 Thousand Dollars (\$200,000.00) and not more than the total
2 financial liability of the organization licensee throughout the
3 race meeting for which the organization license is requested,
4 executed by the applicant and a surety company or companies
5 authorized to do business in this state, and conditioned upon the
6 payment by the organization licensee of all taxes and other monies
7 due and payable pursuant to the provisions of the Oklahoma Horse
8 Racing Act and all purses due and payable, and upon the fact that,
9 upon presentation of winning tickets, the organization licensee
10 will distribute all sums due to the patrons of pari-mutuel pools.
11 The financial liabilities incurred by the organization licensee in
12 the form of real estate mortgages shall not be included in the
13 determination of the bond amount.

14 E. The Commission shall notify each applicant of the racing
15 dates allotted to such applicant. The notice shall be in writing
16 and sent by registered mail to the applicant at the address stated
17 in the application. The notice shall be mailed within two (2)
18 business days of the date the allotment is made. After the mailing
19 of such notice of allotment, each applicant shall file with the
20 Commission within ten (10) days an acceptance of such allotment on
21 a form prescribed and furnished by the Commission.

22 F. Each organization license shall specify the name of the
23 person to whom it is issued, the dates upon which horse racing is

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1 permitted, and the location, place, track, or enclosure where the
2 race meeting is to be held.

3 G. All employees of an organization licensee shall be citizens
4 of the United States, and not less than ninety percent (90%) of
5 such employees shall be residents of this state for not less than
6 eighteen (18) months immediately preceding such employment.

7 H. All horse racing conducted pursuant to the provisions of an
8 organization license is subject to the provisions of the Oklahoma
9 Horse Racing Act and of the rules, regulations and directives
10 promulgated by the Commission, and every organization license
11 issued by the Commission shall contain a statement to that effect.

12 I. Any organization licensee may provide, with prior approval
13 by the Commission, that at least one horse race a day may be
14 devoted to the racing of a type of horse which is different from
15 the type of horse being raced in the other races conducted by the
16 organization licensee on that day. When scheduled races are trial
17 heats for futurities or stakes races electronically timed from the
18 starting gates, no organization licensee shall move the starting
19 gates or allow the starting gates to be moved until all trial heats
20 are complete, unless they are using a device approved by the
21 horsemen's representative and the stewards that will ensure the
22 gates are set in the same position, except in an emergency as
23 determined by the stewards.

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1 J. Organization licenses may be revoked if the organization
2 licensee or any person owning an interest in the organization
3 licensee:

4 1. Violates any provision of the Oklahoma Horse Racing Act; or

5 2. Violates any provision of the rules and regulations
6 promulgated pursuant to the provisions of the Oklahoma Horse Racing
7 Act; or

8 3. Has been convicted of a felony; or

9 4. Has been convicted of violating any law regarding gambling
10 or controlled dangerous substances of the United States, this
11 state, or any other state; or

12 5. Has failed to disclose or has stated falsely any
13 information contained in the application; or

14 6. Has concealed in whole or in part the true ownership of the
15 organization licensee.

16 Any organization license revocation proceeding shall be
17 conducted pursuant to the provisions of Sections 302 through 323 of
18 Title 75 of the Oklahoma Statutes.

19 K. The fees received by the Commission pursuant to the
20 provisions of this section shall be apportioned to the Oklahoma
21 Horse Racing Commission Operational Expenses Revolving Fund.

22 L. The provisions of the Oklahoma Horse Racing Act and rules
23 promulgated by the Commission shall apply to an organization

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1 licensee during the entire calendar year in which the license was
2 issued."

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