

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 220

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2502, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-2505, IDAHO CODE, TO REVISE A CODE REFERENCE; AND AMENDING CHAPTER 25, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2512A, IDAHO CODE, TO PROVIDE FOR WAGERING ON HISTORICAL HORSE RACES, TO PROVIDE FOR THE DISTRIBUTION AND PAYMENT OF ALL SUMS DEPOSITED IN ANY HISTORICAL HORSE RACE POOL, TO PROVIDE FOR THE CONTINUOUS APPROPRIATION OF CERTAIN MONEYS, TO PROVIDE FOR CERTAIN AGREEMENTS WITH HORSEMEN'S GROUPS, TO PROVIDE FOR THE HISTORICAL HORSE RACE PURSE MON- EYS FUND AND TO PROVIDE FOR RULEMAKING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2502, Idaho Code, be, and the same is hereby amended to read as follows:

54-2502. DEFINITIONS. Unless the context otherwise requires, words and phrases as used herein shall mean:

(1) "Commission" means the Idaho state racing commission, hereinafter created.

(2) "Gross daily receipts" means the total of all sums deposited in all pools for each race day.

(3) "Historical horse race" means a race involving live horses that was conducted in the past and that is rebroadcast by electronic means and shown on a delayed or replayed basis for the purposes of wagering conducted at a facility that is authorized to show simulcast and/or televised races.

(4) "Horsemen's group" means an organization composed of licensed owners and/or trainers duly registered with the secretary of state and recognized by the Idaho racing commission.

(5) "Host facility" means the racetrack at which the race is run, or the facility which is designated as the host facility if the race is run in a jurisdiction which is not participating in the interstate combined wagering pool.

(6) "Host jurisdiction" means the jurisdiction in which the host facility is located.

(7) "Interstate common wagering pool" means a pari-mutuel pool established in one (1) jurisdiction which is combined with comparable pari-mutuel pools from one (1) or more racing jurisdictions. Such pool is established for the purpose of establishing pay-off prices in the various jurisdictions.

(8) "Pari-mutuel" means any system whereby wagers with respect to the outcome of a race are placed with, or in, a wagering pool conducted by a person licensed or otherwise permitted to do so under state law, and in which the participants are wagering with each other and not against the operator.

(9) "Persons" means and includes individuals, firms, corporations and associations.

1       (910) "Pool" means the total sum of all moneys wagered in each race for  
 2 each type of bet. Types of bets include win, place, show, quinella, daily  
 3 double, exacta, trifecta, etc., and such other types as are approved by the  
 4 commission from time to time.

5       (101) "Race meet" means and includes any exhibition of thoroughbred,  
 6 purebred, and/or registered horse racing, mule racing or dog racing, where  
 7 the pari-mutuel system of wagering is used. Singular includes the plural  
 8 and plural includes the singular; and words importing one gender shall be  
 9 regarded as including all other genders.

10       (112) "Racing jurisdiction" or "jurisdiction" means a governmental ju-  
 11 risdiction responsible for the regulation of pari-mutuel racing in that ju-  
 12 risdiction.

13       (123) "Simulcast" means the telecast or other transmission of live au-  
 14 dio and visual signals of a race, transmitted from a sending track to a re-  
 15 ceiving location, for the purpose of wagering conducted on the race at the  
 16 receiving location.

17       SECTION 2. That Section 54-2505, Idaho Code, be, and the same is hereby  
 18 amended to read as follows:

19       54-2505. COMMISSION'S ANNUAL REPORT -- PUBLIC RECORD. The commission  
 20 shall keep detailed records of all meetings and of the business transacted  
 21 therein, and all licenses applied for and issued, reports of which shall be  
 22 embodied in an annual report which the commission shall prepare and submit to  
 23 the governor on or before the thirty-first day of March of each year. Said  
 24 annual report shall cover the activities of the commission, including the  
 25 financial report of the commission and a financial summary of licensees sub-  
 26 ject to section 54-2508, Idaho Code, and organizations of licensees defined  
 27 in section 54-2502 (34), Idaho Code, for the preceding year in addition to the  
 28 aforementioned.

29       All records of the commission shall be public records, and as such, sub-  
 30 ject to public inspection.

31       SECTION 3. That Chapter 25, Title 54, Idaho Code, be, and the same is  
 32 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 33 ignated as Section 54-2512A, Idaho Code, and to read as follows:

34       54-2512A. PARI-MUTUEL BETTING ON HISTORICAL HORSE RACES -- DISTRIBU-  
 35 TIONS OF DEPOSITS -- HISTORICAL HORSE RACE PURSE MONEYS FUND. (1) Wagering  
 36 on an historical horse race is declared to be lawful and within the scope of  
 37 a license that authorizes a live race meet licensee to conduct and supervise  
 38 the use of the pari-mutuel wagering on simulcast and/or televised races. Wa-  
 39 gering on an historical horse race shall be conducted in accordance with the  
 40 pari-mutuel system pursuant to the provisions of this chapter and in accor-  
 41 dance with all rules promulgated by the commission. Wagering on an histori-  
 42 cal horse race may be conducted at any facility authorized to conduct and su-  
 43 pervise wagering on simulcast and/or televised races.

44       (2) Each licensee conducting the pari-mutuel system for historical  
 45 horse races shall distribute and pay all sums deposited in any historical  
 46 horse race pool as follows:

1 (a) No less than eighty-nine percent (89%) of gross daily receipts in  
2 various wagering pools established to fund reserves and payoffs for  
3 distribution and payment to winning wagers;

4 (b) One and one-half percent (1.50%) of gross daily receipts to the  
5 Idaho state racing commission for distribution and deposit as follows  
6 in the following designated accounts:

7 (i) One-half of one percent (0.50%) of gross daily receipts to the  
8 racing commission account within the state regulatory fund;

9 (ii) One-fifth of one percent (0.20%) of gross daily receipts to  
10 the track distribution account within the pari-mutuel distribu-  
11 tion fund;

12 (iii) One-fifth of one percent (0.20%) of gross daily receipts to  
13 the breed distribution account within the pari-mutuel distribu-  
14 tion fund;

15 (iv) One-half of one percent (0.50%) of gross daily receipts to  
16 the public school income fund; and

17 (v) One-tenth of one percent (0.10%) of gross daily receipts to  
18 the Idaho horse council youth programs account which is hereby  
19 created within the pari-mutuel distribution fund; and

20 (c) The balance of gross daily receipts to the licensee. All moneys  
21 in these accounts are hereby continuously appropriated to the commis-  
22 sion for further distribution and time of payment as provided in section  
23 54-2513, Idaho Code.

24 (3) Each licensee conducting the pari-mutuel system for historical  
25 horse races shall enter into an agreement with a horsemen's group, as the  
26 term "horsemen's group" is defined in section 54-2502, Idaho Code, that  
27 shall address, but not be limited to, establishing the percentage of the  
28 historical horse race handle that is dedicated to the live horse race purse  
29 structure. In addition, the agreement shall provide that all historical  
30 race purse moneys that are accrued as required by horsemen's agreements  
31 shall be held in the historical horse race moneys fund created pursuant to  
32 the provisions of this section.

33 (4) The historical horse race purse moneys fund is hereby created in  
34 the state treasury. Moneys in the fund shall consist of all historical horse  
35 race moneys that are accrued as required by horsemen's agreements. Moneys  
36 in the fund are hereby perpetually appropriated to the Idaho state racing  
37 commission for distribution pursuant to the provisions of horsemen's agree-  
38 ments and rules of the commission. The commission is authorized to promul-  
39 gate rules providing for the receipt, deposit, withdrawal and distribution  
40 of such moneys. The state treasurer shall invest idle moneys in the fund  
41 and any interest received on those investments shall be returned to the fund  
42 which is created pursuant to the provisions of this section.

43 (5) The commission may promulgate rules pursuant to chapter 52, title  
44 67, Idaho Code, to implement the provisions of this section.