

FANN FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1146

(Reference to Senate engrossed bill)

1 Page 5, between lines 24 and 25, insert:

2 "T. NOTWITHSTANDING ANY OTHER RULE OR LAW, UPON APPLICATION BY A DOG
3 RACING PERMITTEE, THE DIRECTOR MAY REDUCE THE NUMBER OF KENNELS REQUIRED FOR
4 ANY RACE TO NOT LESS THAN FIVE KENNELS."

5 Reletter to conform

6 Between lines 27 and 28, insert:

7 "Sec. 2. Title 5, chapter 1, article 1, Arizona Revised Statutes, is
8 amended by adding section 5-105.01, to read:

9 5-105.01. Injury reports and records

10 NO LATER THAN TEN DAYS FOLLOWING THE END OF EACH MONTH, THE DEPARTMENT
11 SHALL OBTAIN A LIST OF ALL RACING RELATED INJURIES AND DEATHS TO THE ANIMALS
12 REPORTED TO THE TRACK VETERINARIAN."

13 Renumber to conform

14 Page 12, between lines 40 and 41, insert:

15 "Sec. 7. Section 5-112, Arizona Revised Statutes, is amended to read:

16 5-112. Wagering legalized; simulcasting of races; unauthorized
17 wagering prohibited; classification; report

18 A. Except as provided in subsection ~~L~~ K of this section, section
19 5-101.01, subsection F and title 13, chapter 33, any person within the
20 enclosure of a racing meeting held pursuant to this article may wager on the
21 results of a race held at the meeting or televised to the racetrack enclosure
22 by simulcasting pursuant to this section by contributing money to a
23 pari-mutuel pool operated by the permittee as provided by this article.

24 B. The department, upon request by a permittee, may grant permission
25 for electronically televised simulcasts of horse, harness or dog races to be
26 received by the permittee. In counties having a population of one million
27 five hundred thousand persons or more according to the most recent United
28 States decennial census, the simulcasts shall be received at the racetrack

1 enclosure where a horse, harness or dog racing meeting is being conducted,
2 provided that the simulcast may only be received during, immediately before
3 or immediately after a minimum of nine posted races for that racing day. In
4 counties having a population of five hundred thousand persons or more but
5 less than one million five hundred thousand persons according to the most
6 recent United States decennial census, the simulcasts shall be received at
7 the racetrack enclosure where a horse, harness or dog racing meeting is being
8 conducted provided that the simulcast may only be received during,
9 immediately before or immediately after a minimum of four posted races for
10 that racing day. In all other counties, the simulcasts shall be received at
11 a racetrack enclosure at which authorized racing has been conducted whether
12 or not posted races have been offered for the day the simulcast is received.
13 The simulcasts shall be limited to horse, harness or dog races. The
14 simulcasts shall be limited to the same type of racing as authorized in the
15 permit for live racing conducted by the permittee. The department, upon
16 request by a permittee, may grant permission for the permittee to transmit
17 the live race from the racetrack enclosure where a horse, harness or dog
18 racing meeting is being conducted to a facility or facilities in another
19 state. All simulcasts of horse or harness races shall comply with the
20 interstate horseracing act of 1978 (P.L. 95-515; 92 Stat. 1811; 15 United
21 States Code chapter 57). All forms of pari-mutuel wagering shall be allowed
22 on horse, harness or dog races televised by simulcasting. All monies wagered
23 by patrons on these horse, harness or dog races shall be computed in the
24 amount of money wagered each racing day for purposes of section 5-111.

25 C. Notwithstanding subsection B of this section, in counties having a
26 population of one million five hundred thousand persons or more according to
27 the most recent United States decennial census, simulcasts may be received
28 at the racetrack enclosure and at any additional wagering facility used by a
29 permittee for handling wagering as provided in section 5-111, subsection A
30 during a permittee's racing meeting as approved by the commission, whether or
31 not posted races have been conducted on the day the simulcast is received,
32 if:

1 1. For horse and harness racing, the permittee's racing permit
2 requires the permittee to conduct a minimum OF ONE HUNDRED FIFTY-SIX DAYS OF
3 LIVE RACING WITH AN AVERAGE of nine posted races on an average of five racing
4 days each week at the permittee's racetrack enclosure during the period
5 beginning on October 1 and ending on the first full week in May, UNLESS
6 OTHERWISE AGREED IN WRITING BY THE PERMITTEE AND THE RECOGNIZED HORSEMEN'S
7 ORGANIZATION THAT REPRESENTS THE HORSEMEN PARTICIPATING IN THE RACE MEET AT
8 THE RACETRACK ENCLOSURE SUBJECT TO APPROVAL BY THE DEPARTMENT.

9 2. For dog racing, the permittee is required to conduct a minimum of
10 ~~twelve~~ TEN posted races on each of ~~five~~ FOUR days each week for ~~fifty~~
11 FORTY-ONE weeks during a calendar year at the permittee's racetrack
12 enclosure.

13 D. Notwithstanding subsection B of this section, in counties having a
14 population of ~~five~~ SEVEN hundred thousand persons or more but less than one
15 million five hundred thousand persons according to the most recent United
16 States decennial census, simulcasts may be received at the racetrack
17 enclosure and at any additional wagering facility used by a permittee for
18 handling wagering as provided in section 5-111, subsection A during a
19 permittee's racing meeting as approved by the commission, whether or not
20 posted races have been conducted on the day the simulcast is received,
21 subject to the following conditions:

22 1. For horse and harness racing, the permittee may conduct wagering on
23 dark day simulcasts for twenty days, provided the permittee conducts a
24 minimum of seven posted races on each of the racing days mandated in the
25 permittee's commercial racing permit. In order to conduct wagering on dark
26 day simulcasts for more than twenty days, the permittee is required to
27 conduct a minimum of seven posted races on one hundred forty racing days at
28 the permittee's racetrack enclosure.

29 2. For dog racing, the permittee is required to conduct a minimum of
30 nine posted races on each of one hundred days during a calendar year at the
31 permittee's racetrack enclosure, unless a lesser number is otherwise agreed
32 to by written contract entered into by February 1 of each year by a permittee

1 and a majority of licensed persons then participating in a greyhound racing
2 meeting as greyhound racing kennel owners.

3 E. In an emergency and upon a showing of good cause by a permittee,
4 the commission may grant an exception to the minimum racing day requirements
5 of subsections C and D of this section.

6 F. The minimum racing day requirements of subsections C and D of this
7 section shall be computed by adding all racing days, including any county
8 fair racing days operated in accordance with section 5-110, subsection F,
9 allotted to the permittee's racetrack enclosure in one or more racing permits
10 and all racing days allotted to the permittee's racetrack enclosure pursuant
11 to section 5-110, subsection H.

12 ~~G. Notwithstanding subsection B of this section and subject to~~
13 ~~subsections C and D of this section, during the period of the permit for~~
14 ~~horse racing, wagering on dark day simulcasts of horse races at a permittee's~~
15 ~~additional wagering facilities shall only be allowed for a maximum number of~~
16 ~~days equal to the number of days of live horse racing scheduled to be~~
17 ~~conducted at that permittee's racetrack enclosure during the permittee's~~
18 ~~racing meeting. During the period of a permit for dog racing, wagering on~~
19 ~~dark day simulcasts of dog races at a permittee's additional wagering~~
20 ~~facilities shall only be allowed for a maximum number of days equal to the~~
21 ~~number of days of live dog racing scheduled to be conducted at that~~
22 ~~permittee's racetrack enclosure during the permittee's racing meeting, unless~~
23 ~~the permittee has offered live dog racing in a county that is subject to~~
24 ~~subsection D of this section for eight of the last ten preceding calendar~~
25 ~~years. The number of days allowed for dark day simulcasting under this~~
26 ~~subsection shall be computed by adding all racing days, including any county~~
27 ~~fair racing days operated in accordance with section 5-110, subsection F,~~
28 ~~allotted to the permittee's racetrack enclosure in one or more racing permits~~
29 ~~and all racing days allocated to the permittee's racetrack enclosure pursuant~~
30 ~~to section 5-110, subsection H.~~

1 ~~H.~~ G. Simulcast signals or teletracking of simulcast signals does not
2 prohibit live racing or teletracking of that live racing in any county at any
3 time.

4 ~~I.~~ H. Except as provided in subsection ~~L~~ K of this section, section
5 5-101.01, subsection F and title 13, chapter 33, any person within a
6 racetrack enclosure or an additional facility authorized for wagering
7 pursuant to section 5-111, subsection A may wager on the results of a race
8 televised to the facility pursuant to section 5-111, subsection A by
9 contributing to a pari-mutuel pool operated as provided by this article.

10 ~~J.~~ I. Notwithstanding subsection B of this section, the department,
11 in counties having a population of one million five hundred thousand persons
12 or more according to the most recent United States decennial census and on
13 request by a permittee for one day each year, may grant permission for
14 simulcasts to be received without compliance with the minimum of nine posted
15 races requirement.

16 ~~K.~~ J. Except as provided in this article and in title 13, chapter 33,
17 all forms of wagering or betting on the results of a race, including but not
18 limited to buying, selling, cashing, exchanging or acquiring a financial
19 interest in pari-mutuel tickets, except by operation of law, whether the race
20 is conducted in this state or elsewhere, are illegal.

21 ~~L.~~ K. A permittee shall not knowingly permit a person who is under
22 twenty-one years of age to be a patron of the pari-mutuel system of wagering.

23 ~~M.~~ L. Except as provided in title 13, chapter 33, any person who
24 violates this article with respect to any wagering or betting, whether the
25 race is conducted in or outside this state, is guilty of a class 6 felony.

26 ~~N.~~ M. Simulcasting may only be authorized for the same type of racing
27 authorized by a permittee's live racing permit.

28 ~~O.~~ N. Any person other than a permittee under this article who
29 accepts a wager or who bets on the results of a race, whether the race is
30 conducted in or outside this state, including buying, selling, cashing,
31 exchanging or acquiring a financial interest in a pari-mutuel ticket from a
32 person in this state outside of a racing enclosure or an additional wagering

1 facility that is approved by the commission and that is located in this state
2 is guilty of a class 6 felony.

3 ~~P~~. 0. Pursuant to section 13-108, a pari-mutuel wager or a bet placed
4 or made by a person in this state is deemed for all purposes to occur in this
5 state.

6 ~~P~~. P. The department and the attorney general shall enforce
7 subsections ~~Q~~ N and ~~P~~ O of this section and shall submit an annual report
8 that summarizes these enforcement activities to the governor, the speaker of
9 the house of representatives and the president of the senate. The department
10 and the attorney general shall provide a copy of this report to the secretary
11 of state."

12 Renumber to conform

13 Page 15, after line 26, insert:

14 "Sec. 9. Emergency

15 This act is an emergency measure that is necessary to preserve the
16 public peace, health or safety and is operative immediately as provided by
17 law."

18 Amend title to conform

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