

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1282

(Reference to Senate engrossed bill)

1 Page 1, line 16, strike "THAT IS LOCATED OUTSIDE THIS STATE AND"

2 Page 4, between lines 9 and 10, insert:

3 "Sec. 3. Section 5-110, Arizona Revised Statutes, is amended to read:

4 5-110. Racing days, times and allocations; emergency transfer;
5 county fairs; charity days

6 A. Permits for horse, harness or dog racing meetings shall be approved
7 and issued for substantially the same dates allotted to permittees for the
8 same type of racing during the preceding year or for other dates that
9 permittees request, provided that, in the event there is a conflict in dates
10 requested between two or more permittees in the same county for the same kind
11 of racing, the permittee whose application is for substantially the same
12 dates as were allotted to the permittee in the preceding year shall be
13 entitled to have preference over other permittees. In the event two or more
14 permittees have agreed that the dates to be allotted to each of them each
15 year shall be alternated from one year to the next, the commission shall
16 recognize their agreement and ~~such~~ THOSE permittees may be accorded
17 preference over any other permittee as to those dates to be allotted to ~~such~~
18 THOSE permittees on an alternating basis. Except as otherwise provided, the
19 commission shall allot dates to the respective permittees after giving due
20 consideration to all of the factors involved and the interests of permittees,
21 the public and this state.

22 B. The commission may require by the terms of any permit that the
23 permittee offer such number of races during any racing meeting as the
24 commission shall determine, provided that the permittee shall be permitted to
25 offer ~~not less than~~ AT LEAST the same number of races each day as offered in

1 the prior year. The commission shall require each horse racing permittee to
2 conduct for a period of thirty days a number of races equal to an average of
3 ~~not less than~~ AT LEAST two races for each day of racing exclusively for
4 quarter horses. If, in the opinion of the commission, the permittee is
5 offering acceptable quarter horse races but an honest effort is not being put
6 forth to fill these races by the horsemen, the commission may rescind the two
7 race per day quarter horse requirement.

8 C. Live racing and wagering on simulcast races shall be permissible in
9 either daytime or nighttime, but, UNLESS OTHERWISE AGREED BY WRITTEN CONTRACT
10 THAT IS SUBMITTED TO THE DEPARTMENT BETWEEN ALL THE PERMITTEES IN THE SAME
11 COUNTY, there shall be no live daytime dog racing on the same day that there
12 is live daytime horse or harness racing in any county in which commercial
13 horse or harness racing has been conducted prior to February 1, 1971, and no
14 live nighttime horse or harness racing on the same day that there is live
15 nighttime dog racing in the same county. There shall be no wagering on
16 simulcast dog races before 4:15 p.m., mountain standard time, on the same day
17 that there is live daytime horse or harness racing in any county in which
18 commercial horse or harness racing has been conducted before February 1,
19 1971, and no wagering on simulcast horse or harness racing after 7:30 p.m.,
20 mountain standard time, on the same day that there is live nighttime dog
21 racing in the same county. The hours during which any other dog, harness or
22 horse racing is to be conducted shall be determined by the commission. The
23 application for a permit shall state the exact days on which racing will be
24 held and the time of day during which racing will be conducted.

25 D. If the commission determines that an emergency has obligated or may
26 obligate a permittee to discontinue racing at a location, the commission may
27 authorize the permittee to transfer racing for the number of days lost to any
28 other location.

29 E. A racing meeting, when operated by a county fair racing association
30 or under lease during the county fair to any individual, corporation or
31 association, shall not come under the limitation placed on days of racing in
32 this section.

1 F. The department shall be the judge of whether a county fair racing
2 meeting is being operated ~~in accordance with the provisions of~~ PURSUANT TO
3 this section. A county fair racing meeting conducted by an individual,
4 corporation or association, other than the properly authorized county fair
5 racing association, shall come under the general provisions of this article
6 the same as a commercial meeting. Notwithstanding this subsection, a county
7 fair racing meeting, whether conducted by a county fair racing association or
8 by an individual, corporation or association other than a county fair racing
9 association, is exempt from the requirement prescribed in section 5-111 to
10 pay to the state a percentage of the pari-mutuel pool collected at the
11 meeting.

12 G. The commission may allow a permittee, in addition to the days
13 specified in this permit, to operate up to three racing days during any one
14 meeting as charity days. From the amount deducted from the total handled in
15 the pari-mutuel pool on charity days, the permittee shall deduct an amount
16 equal to the purses and the cost of conducting racing on these days, and
17 shall donate the balance to nonprofit organizations and corporations ~~which~~
18 THAT benefit the general public, ~~which~~ THAT are engaged in charitable,
19 benevolent and other like work and ~~which~~ THAT are selected by the permittee
20 and approved by the department. In no event shall the amount given to
21 charity from charity racing days be less than the amount ~~which~~ THAT otherwise
22 would have gone to this state as the state's share on a noncharity racing
23 day.

24 H. Notwithstanding any other provision of this chapter, any dog racing
25 permittee to which a permit to conduct dog racing in this state has been
26 issued may in any racing year modify the racing date allocations made to the
27 permittee for conducting dog racing at a track by reallocating up to
28 two-thirds of the racing dates allocated to that permittee for dog racing at
29 a track to another track in this state at which the permittee or a
30 corporation of common ownership to the permittee conducts dog racing. For
31 the purpose of this section, a corporation of common ownership to the
32 permittee is a corporation ~~which~~ THAT is owned or controlled, directly or

1 indirectly, by the same corporation that owns or controls the permittee and
2 ~~which~~ THAT holds a permit to conduct dog racing in this state.

3 I. Notwithstanding any other provision of this article, any dog racing
4 permittee that has offered live dog racing in eight out of ten calendar years
5 from 1980 to 1990 in counties that have a population of less than five
6 hundred thousand persons ~~according to the most recent United States decennial~~
7 ~~census~~ shall be considered as operating a racetrack enclosure for all
8 purposes under this article and shall not be required to conduct live racing
9 as a condition of that permittee's racing permit. Any permittee qualified
10 under this subsection may conduct wagering on telecasts of races conducted at
11 racetrack enclosures within this state or at racetrack enclosures outside
12 this state without offering live racing at that permittee's racetrack
13 enclosure."

14 Renumber to conform

15 Page 11, strike lines 9 and 10, insert "AS PROVIDED IN A WRITTEN AGREEMENT THAT IS
16 SUBMITTED TO THE DEPARTMENT BETWEEN ALL COMMERCIAL LIVE DOG RACING PERMITTEES
17 AND ALL COMMERCIAL DOG RACING PERMITTEES."

18 Page 12, line 18, after "PERMITTEES" insert "IN ORDER TO ACCEPT ADVANCE DEPOSIT
19 WAGERING ON HORSE RACING FROM A COUNTY WITH A COMMERCIAL LIVE DOG RACING
20 PERMITTEE"

21 Amend title to conform

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