

Amendment to HB 1740

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to costs of blood testing orders and licensing historic racing.
4

5 Amend the bill by replacing all after section 2 with the following:
6

7 3 Limitation; Application of Chapter to Historic Racing. Amend RSA 284:1 to read as follows:

8 284:1 Limitation. This chapter shall be construed to apply only to running or harness horse
9 racing, whether live, [or] simulcast, **or historic**, or simulcast dog racing.

10 4 Racing and Charitable Gaming; Historic Racing. Amend RSA 284:6-a, VI to read as follows:

11 VI. The lottery commission shall not authorize the use of any electronic gaming device in
12 connection with the acceptance of wagers on running or harness horse racing, whether live,
13 **historic**, or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1,
14 2011, unless specific authorization for such electronic gaming device is enacted by the general court.
15 Electronic gaming devices shall mean and include all electro-mechanical instruments and devices
16 used for the purposes of gaming, other than wagering on live, **historic**, or simulcast horse racing or
17 simulcast dog racing, whether in physical presence or through the Internet, and such shall include,
18 but not be limited to, video slot machines and other gambling devices which function or are
19 designed to function to emulate a video slot machine[~~or historic racing machine~~]. This section shall
20 not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the
21 conduct of wagering on live, **historic**, or simulcast horse racing or simulcast dog racing, which type
22 of equipment was in service prior to January 1, 2011, with updated or new equipment which are the
23 functional equivalent of the machines which are being replaced, provided the equipment is not an
24 electronic gaming device as described in the previous sentence. This section shall not be interpreted
25 as prohibiting licensees from accepting account wagers in compliance with applicable rules and
26 regulations.

27 ***VII. Notwithstanding the provisions of RSA 284:6-a, VI, the lottery commission***
28 ***shall authorize wagers on historic horse races, whether on an electronic gaming device or***
29 ***otherwise, so long as such wagers meet the requirements of this chapter.***

30 5 Rulemaking; Historic Horse Racing. Amend RSA 284:12, IV to read as follows:

31 IV. The sale of pari-mutuel pools as authorized under RSA 284:22, [and] RSA 284:22-a, **and**
32 **RSA 284:22-b.**

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6 Investigation Fees. Amend RSA 284:12-a, I to read as follows:

I. No person, association, corporation, or any other type of entity shall hold any live running or harness race or meet, ***shall offer wagers on historic horse races***, or shall conduct any simulcast running or harness horse or dog race or meet, at which pari-mutuel pools are sold without a license from the lottery commission.

7 New Section; Requirements for License to Conduct Historic Horse Race Wagering. Amend RSA 284 by inserting after section 15-d the following new section:

284:15-e Requirements for Conducting Historic Horse Race Wagering.

I. Any person, association, corporation, or other type of entity who holds a license under RSA 284 to accept pari-mutuel wagers may accept wagers on historic horse races.

II. Any person who holds a license under RSA 287-D may accept wagers on historic horse races.

8 New Section; Parimutuel Pools on Historic Horse Racing. Amend RSA 284 by inserting after section 22-a the following new section:

284:22-b Pari-mutuel Pools on Historic Horse Racing.

I. In this section:

(a) "Historic horse race" means:

(1) Any horse race, whether running or harness, that was previously conducted at a licensed pari-mutuel facility;

(2) Concluded with official results; and

(3) Concluded without scratches, disqualifications, or dead-heat finishes.

(b) "Licensee" means:

(1) Any person who, as of December 31, 2017, holds a license under RSA 284; or

(2) Any individual, association, partnership, joint venture, corporation, or other organization or entity which holds a license under RSA 287-D and meets the requirements of RSA 284:15.

II. A licensee under this chapter or RSA 287-D may sell pari-mutuel pools on historic horse races provided such sales are within the enclosure of the facility at which the licensee holds a license.

III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may take place on electronic gaming devices provided that:

(a) All wagers use the pari-mutuel method of wagering;

(b) A licensee at all times maintains at least 2 terminals offering the same type of wager on historic horse races;

(c) The terminal makes available true and accurate past performance information on each historic horse race prior to the patron making his or her selections;

(d) The terminal displays a replay of each race, or a portion thereof, whether digital or

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1 by way of a video recording, and the official results of each race. The identity of each race shall be
2 revealed to the patron after the patron has placed his or her wager;

3 (e) The terminals have been tested by an independent testing laboratory to ensure
4 integrity and proper working order; and

5 (f) Each terminal displays pool amounts that the patron will receive for a winning
6 wager on each pari-mutuel wagering pool.

7 IV. Racing officials, any employee or owner of the person who provides the totalizator
8 system to the licensee, and any person responsible for the operation of the electronic reproduction
9 equipment which operates the historic horse racing and wagering shall be prohibited from
10 participating in wagering, directly or indirectly, on historic horse races offered at the licensee's
11 facility.

12 V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of
13 not greater than 19 percent. In addition to the above commission, 100 percent of the odd cents of all
14 redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of
15 10, known as "breakage," shall be credited to the lottery commission. Each licensee shall pay the
16 tax provided for in RSA 284:23.

17 VI. Each licensee shall collect an amount equal to the tax provided for in RSA 284:23, I(b).
18 Each game operator employer as defined in RSA 287-D who is licensed to conduct wagering on
19 historic horse racing under this chapter shall distribute 35 percent of the amount collected to
20 charitable organizations with whom the game operator contracts on each licensed game date. The
21 remainder of the total amount collected by the game operator employer under this paragraph shall
22 be credited to the lottery commission for use according to the special fund established in RSA
23 284:21-j.

24 9 Effective Date. This act shall take effect upon its passage.

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2018-1760s

AMENDED ANALYSIS

This bill clarifies the provision of law relating to the costs of blood testing orders when certain individuals have been exposed to another person's bodily fluids.

This bill also defines and regulates pari-mutuel pools on historic horse racing.