WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED
SENATE BILL NO. 548
(By Mr. Slaggers & Mr. Steppe)

PASSED March 13, 1982
In Effect ninety days from Passage

APPROVED AND SIGNED BY THE GOVERNOR
Date 3-24-82
ENROLLED

Senate Bill No. 548

(By Mr. Staggers and Mr. Steptoe)

[Passed March 13, 1982; in effect ninety days from passage.]

AN ACT to amend article twenty-three, chapter nineteen of
the code of West Virginia, one thousand nine hundred
thirty-one, as amended, by adding thereto a new section,
designated section thirteen-a, relating to establishment
of a bonus race fund for West Virginia bred or sired
horses.

Be it enacted by the Legislature of West Virginia:

That article twenty-three, chapter nineteen of the code
of West Virginia, one thousand nine hundred thirty-one, as
amended, be amended by adding thereto a new section,
designated section thirteen-a, to read as follows:

ARTICLE 23. HORSE AND DOG RACING.

§19-23-13a. West Virginia bonus race fund.

An association licensed by the West Virginia racing
commission to conduct horse race meetings may establish
at its track a special fund to be known as the “Bonus
Race Fund,” in the manner hereinafter provided by this
section.

The fund shall be established only if written approval
is given by the duly authorized representative of a
majority of the owners and trainers who hold the permit
required by section eight of this article at the horse race-
track and by the authorized agent of the association.

The association shall deposit each day, into the fund
hereby established, an amount equal to one tenth of one
percent of the total daily pari-mutuel pool or pools, which
sum shall be appropriated from the special purse fund established in subsection (b) (1), section nine of this article. In addition thereto, the association shall, from the commission retained by the association under the provisions of said section nine of this article, deposit into the “Bonus Race Fund” the following sums: Each day an amount equal to four one-hundredths of one percent of the total daily pari-mutuel pool during the fiscal year beginning the first day of July, one thousand nine hundred eighty-two and each year thereafter; an additional three one-hundredths of one percent of the total daily pari-mutuel pools for the fiscal year beginning the first day of July, one thousand nine hundred eighty-three and each year thereafter; and an additional three one-hundredths of one percent of the total daily pari-mutuel pools for the fiscal year beginning the first day of July, one thousand nine hundred eighty-four and each year thereafter.

To be eligible to participate in purses to be paid from the proceeds of this fund, each horse must be registered with the West Virginia thoroughbred breeders association. To qualify for such registration the said horse must have been foaled in the state of West Virginia or sired by a stallion standing in the state of West Virginia or both foaled in West Virginia and sired by a stallion standing in West Virginia.

(a) A horse is bred where it is foaled. The breeder is the owner of the dam at the time of foaling.

(b) Any owner or breeder may appeal from the refusal of the West Virginia thoroughbred breeders association to register a horse under this rule to the West Virginia racing commission, and the decision of the commission shall be final.

(c) To be considered a West Virginia stallion, it is required that he be in the state of West Virginia for at least one full breeding season, commonly understood to be the first six months of a year, or if the stallion is brought in subsequent to the start of the breeding season, he must be approved as a West Virginia stallion by the West Virginia thoroughbred breeders association.
At each horse racetrack at which such fund is created, the funds shall be administered by a committee comprised of the following members: Two elected members of the West Virginia thoroughbred breeders association, one elected member of the local horsemen's benevolent protective association, the general manager of the local track or his representative and a member of the West Virginia racing commission or someone designated by the racing commission.

The powers and authority of the racing commission established under the provisions of section six of this article are extended to supervision of the fund created by this section and to the promulgation of reasonable rules and regulations for implementing and making effective the provisions of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the day of March 1982.

Governor