

Date 3-24-82

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED

Committee Substitute for
SENATE BILL NO. 473

(By Mr. Staggers - Mr. Steyer)

PASSED March 12, 1982

In Effect from Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 473

(BY MR. STAGGERS AND MR. STEPTOE, *original sponsors*)

[Passed March 12, 1982; in effect 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 twelve-a, relating to pari-mutuel wagering on interstate and intrastate horse and dog racing at racetracks operated by licensed racing associations.

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 twelve-a, to read as follows:

ARTICLE 23. HORSE AND DOG RACING.

§19-23-12a. Pari-mutuel wagering on interstate and intrastate horse and dog racing.

- 1 (1) Notwithstanding any other provisions of this code,
- 2 a racing association licensed in this state to conduct race
- 3 meetings may, with the consent of the racing commission,
- 4 contract with any legal wagering entity in this or any
- 5 other state to accept wagers on any race or races con-
- 6 ducted by such legal wagering entity. Such wagering
- 7 shall be conducted within the confirm of such licensees'

8 racetrack unless the wager becomes part of the host rac-
9 ing association's pari-mutuel pool.

10 (2) Such horse association shall retain a basic commis-
11 sion not to exceed seventeen and twenty-five one-hun-
12 dredths percent of all money wagered, plus an additional
13 amount equal to one and seventy-five one-hundredths per-
14 cent of the amount wagered each day on all multiple
15 wagers determined by a combination of two winning
16 horses, including, but not limited to, the daily double,
17 quinella and perfecta or plus an additional amount equal
18 to seven and seventy-five one-hundredths percent of the
19 amount wagered each day on all trifecta wagers or
20 any other multiple wager which involves a single betting
21 interest on three or more houses. Breakage shall be cal-
22 culated and distributed in the manner provided by sub-
23 section (c), section nine of this article.

24 (3) The commission deducted by any licensee from the
25 pari-mutuel pools on dog racing shall not exceed sixteen
26 and one-fourth percent of the total of such pari-mutuel
27 pools for the day.

28 (4) The association shall pay each day a pari-mutuel
29 pools tax calculated under the provisions of section ten
30 of this article.

31 (5) After deducting the pari-mutuel pools tax required
32 by subsection (4) of this section, and the amount required
33 to be paid under the terms of the contract with the legal
34 wagering entity of this or another state and the cost of
35 transmission, the horse racing association shall make a
36 deposit equal to fifty percent of the remainder into the
37 purse fund established under the provisions of subdivision
38 (b) (1), section nine of this article.

39 (6) All of the provisions of the "Federal Interstate
40 Horseracing Act of 1978," also known as Public Law 95-
41 515, section 3001-3007 of Title 15, U. S. Code, shall be in-
42 structive as the intent of this section.

43 (7) For the purposes of this section the words "legal
44 wagering entity" shall be limited to any person engaged
45 in horse racing or dog racing pursuant to a license or
46 other permission granted by the state in which such per-
47 son's racetrack is situated and conducting race meetings,

48 with a pari-mutuel wagering system permitted under that
49 state's laws and in which the participants are wagering
50 with each other and not the operator.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Bayler
Chairman Senate Committee

Joseph E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Joel C. Nichols
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

Walter P. McSwain
President of the Senate

W. M. Seelye
Speaker House of Delegates

The within is approved this the 24
day of March, 1982.

John R. Blythe
Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE