WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED

Com. Sub. for
HOUSE BILL No. 1532

(By Mr. Steptoe & Mr. Doyle)

Passed March 9, 1983
In Effect April 1, 1983
AN ACT to amend and reenact section twelve-a, article twenty-three, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to pari-mutuel wagering on interstate and intrastate horse and dog racing generally, requiring the approval of the owners and trainers at horse race tracks to contracts between certain legal wagering entities and racing associations licensed in the state; and requiring one-tenth of one percent of the commissions retained by certain licensees be paid into the general revenue fund of county commissions or of the municipality of the county or municipality in which the race track is located.

Be it enacted by the Legislature of West Virginia:

That section twelve-a, article twenty-three, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted 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, a racing association licensed in this state to conduct race meetings may, with the consent of the racing commission and
the written approval of the authorized representative of a majority of the owners and trainers who hold the permit required by section two of this article at the horse race track, contract with any legal wagering entity in this or any other state to accept wagers on any race or races conducted by such legal wagering entity. Such wagering shall be conducted within the confines of such licensee’s racetrack unless the wager becomes part of the host racing association’s pari-mutuel pool.

(2) Such horse association shall retain a basic commission not to exceed seventeen and twenty-five one-hundredths percent of all money wagered, plus an additional amount equal to one and seventy-five one-hundredths percent of the amount wagered each day on all multiple wagers determined by a combination of two winning horses, including, but not limited to, the daily double, quinella and perfecta or plus an additional amount equal to seven and seventy-five one-hundredths percent of the amount wagered each day on all trifecta wagers or any other multiple wager which involves a single betting interest on three or more horses. Breakage shall be calculated and distributed in the manner provided by subsection (c), section nine of this article.

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

(4) Out of the commission retained or deducted by a licensee under the provisions of subsections (2) and (3) of this section, the licensee shall pay one tenth of one percent into the general fund of the county commission of the county in which the racetrack is located, except if within a municipality, then to such municipality’s general fund.

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

(6) After deducting the county or municipal share provided for in subsection (4) of this section and the pari-mutuel pools tax required by subsection (5) of this section, and the
amount required to be paid under the terms of the contract
with the legal wagering entity of this or another state and the
costs of transmission, the horse racing association shall make
a deposit equal to fifty percent of the remainder into the purse
fund established under the provisions of subdivision (b) (1),
section nine of this article.

(7) All of the provisions of the "Federal Interstate Horse-
racing Act of 1978," also known as Public Law 95-515, sec-
tion 3001-3007 of title 15, U. S. Code, shall be instructive as
the intent of this section.

(8) For the purposes of this section the words "legal
wagering entity" shall be limited to any person engaged in
horse racing or dog racing pursuant to a license or other
permission granted by the state in which such person's race-
track is situated and conducting race meetings, with a pari-
mutuel wagering system permitted under that state's laws
and in which the participants are wagering with each other and
not the operator.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect April 1, 1983.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 29 day of March, 1983.

Governor