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Date 3-29-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

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ENROLLED

Com. Sub. for
HOUSE BILL No. 1532

(By Mr. Stephens + Mr. Doyle)

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Passed March 9, 1983

In Effect April 1, 1983 ~~Message~~



No: 1532

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1532

(By MR. STEPTOE and 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
- 2 racing association licensed in this state to conduct race
- 3 meetings may, with the consent of the racing commission and

4 the written approval of the authorized representative of a
5 majority of the owners and trainers who hold the permit
6 required by section two of this article at the horse race
7 track, contract with any legal wagering entity in this or
8 any other state to accept wagers on any race or races
9 conducted by such legal wagering entity. Such wagering shall
10 be conducted within the confines of such licensee's racetrack
11 unless the wager becomes part of the host racing association's
12 pari-mutuel pool.

13 (2) Such horse association shall retain a basic com-
14 mission not to exceed seventeen and twenty-five one-hundredths
15 percent of all money wagered, plus an additional amount
16 equal to one and seventy-five one-hundredths percent of
17 the amount wagered each day on all multiple wagers deter-
18 mined by a combination of two winning horses, including,
19 but not limited to, the daily double, quinella and perfecta
20 or plus an additional amount equal to seven and seventy-five
21 one-hundredths percent of the amount wagered each day on
22 all trifecta wagers or any other multiple wager which in-
23 volves a single betting interest on three or more horses.
24 Breakage shall be calculated and distributed in the manner
25 provided by subsection (c), section nine of this article.

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

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

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

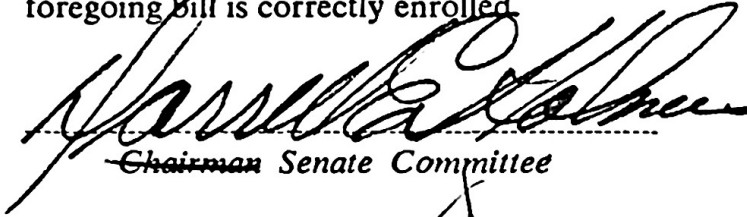
39 (6) After deducting the county or municipal share pro-
40 vided for in subsection (4) of this section and the pari-mutuel
41 pools tax required by subsection (5) of this section, and the

42 amount required to be paid under the terms of the contract
43 with the legal wagering entity of this or another state and the
44 costs of transmission, the horse racing association shall make
45 a deposit equal to fifty percent of the remainder into the purse
46 fund established under the provisions of subdivision (b) (1).
47 section nine of this article.

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

52 (8) For the purposes of this section the words "legal
53 wagering entity" shall be limited to any person engaged in
54 horse racing or dog racing pursuant to a license or other
55 permission granted by the state in which such person's race-
56 track is situated and conducting race meetings, with a pari-
57 mutuel wagering system permitted under that state's laws
58 and in which the participants are wagering with each other and
59 not the operator.

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

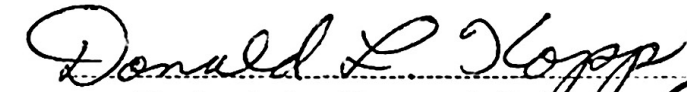

Chairman Senate Committee

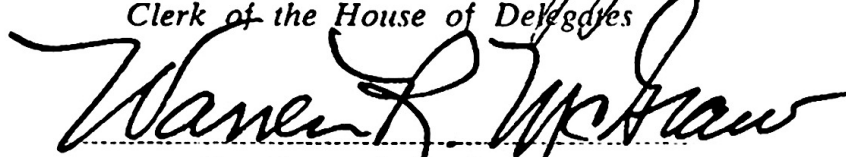

Chairman House Committee

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

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