

AMENDED IN SENATE JULY 5, 2007
AMENDED IN ASSEMBLY MAY 1, 2007
AMENDED IN ASSEMBLY MARCH 27, 2007
CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 649

**Introduced by Assembly Member Ma
(Coauthor: Assembly Member Price)**

February 21, 2007

An act to add ~~Section 19501~~ *Sections 19501 and 19619.7* to the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

AB 649, as amended, Ma. Horse racing: jockeys.

Existing law establishes the California Horse Racing Board, which generally regulates horse racing in the state, including setting riding fees for jockeys that apply in the absence of an agreement regarding riding fees to the contrary.

This bill would require the *scale of minimum jockey riding-fee fees for losing mounts of thoroughbred horses* to be increased, effective January 1, 2008, when the state minimum wage is increased, as specified. The bill would provide that the new fees are minimum jockey riding fees, ~~as specified~~. *The bill would also require, effective January 1, 2008, the minimum amount awarded to a jockey who finishes 2nd or 3rd in a thoroughbred horse race to be increased. The bill would further charge the board, no later than July 1, 2008, with establishing that a jockey who rides a horse finishing in 4th place in a thoroughbred horse race receive a reasonable riding fee, as specified.*

The bill would state findings and declarations of the Legislature relative to jockey riding fees.

Because this bill would impose requirements, the violation of which would be a misdemeanor, pursuant to existing provisions of law, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19501 is added to the Business and
 2 Professions Code, to read:
 3 19501. (a) The Legislature finds and declares the following:
 4 (1) Professional jockeys are vital to the horse racing industry
 5 and the work they perform is very dangerous.
 6 (2) The minimum wage that jockeys receive in a horse race is
 7 established by the California Horse Racing Board as a minimum
 8 riding fee. Jockeys may earn additional compensation if the horse
 9 they are racing is a winning mount, a second place mount, or a
 10 third place mount.
 11 (3) The minimum jockey riding fee has not kept up with inflation
 12 or the cost of living. Since 1970, the state minimum wage has
 13 increased at more than twice the rate that the average jockey riding
 14 fee increased over the same period.
 15 (4) The riding fee should be increased at least as much on a
 16 percentage basis as the state minimum wage, so that the average
 17 full-time jockey can earn an income sufficient to provide for the
 18 basic necessities of life.
 19 (b) (1) Effective January 1, 2008, the scale of minimum jockey
 20 riding fees *for losing mounts* established by the board shall be
 21 increased *by ten dollars (\$10) per mount from the rate in effect on*
 22 *December 31, 2007, except that this increase shall not be*
 23 *applicable to the two highest fees on the scale. Effective January*
 24 *1, 2010, the scale of minimum riding fees for losing mounts*
 25 *established by the board shall be increased by ten dollars (\$10)*

1 *per mount from the rate in effect on December 31, 2009. Effective*
2 *January 1, 2012, the scale of minimum riding fees for losing*
3 *mounts established by the board shall be increased by ten dollars*
4 *(\$10) per mount from the rate in effect on December 31, 2011,*
5 *except the three lowest fees on the scale shall be increased by five*
6 *dollars (\$5) per mount. Thereafter the scale of minimum jockey*
7 *riding fees for losing mounts shall be increased whenever the state*
8 *minimum wage is increased by the percentage of that increase.*

9 (2) *Effective January 1, 2008, the minimum amount awarded*
10 *to the jockey who finishes second or third in a race shall be*
11 *increased by ten dollars (\$10) per race over the amount required*
12 *to be paid on December 31, 2007. Effective January 1, 2010, the*
13 *minimum amount awarded to the jockey who finishes second or*
14 *third in a race shall be increased by ten dollars (\$10) over the*
15 *amount required to be paid on December 31, 2009. Effective*
16 *January 1, 2012, the minimum amount awarded to the jockey who*
17 *finishes second or third in a race shall be increased by five dollars*
18 *(\$5) over the amount required to be paid on December 31, 2011.*
19 *This subdivision shall apply to races in which the purse is nine*
20 *thousand nine hundred ninety-nine dollars (\$9,999) or less.*

21 (c) *No jockey shall be paid less than the minimum jockey riding*
22 *fees established pursuant to this section.*

23 (d) *Nothing in this section prohibits the board from increasing*
24 *the minimum jockey riding fee above the minimum level required*
25 *by this section.*

26 (e) *This section applies only to jockey fees for thoroughbred*
27 *horse races.*

28 *SEC. 2. Section 19619.7 is added to the Business and*
29 *Professions Code, to read:*

30 *19619.7. Notwithstanding any other provision of this chapter,*
31 *no later than July 1, 2008, the board shall provide that the jockey*
32 *who rides the horse that finishes in fourth place in a thoroughbred*
33 *horse race shall be entitled to a reasonable riding fee, not to exceed*
34 *2 percent of the owner's share of the purse, provided that the riding*
35 *fee is no greater than that earned by the jockeys whose horses*
36 *finish second and third in the same race.*

37 ~~SEC. 2.~~

38 *SEC. 3. No reimbursement is required by this act pursuant to*
39 *Section 6 of Article XIII B of the California Constitution because*
40 *the only costs that may be incurred by a local agency or school*

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

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