

ASSEMBLY BILL

No. 765

Introduced by Assembly Member Evans

February 22, 2007

An act to add Section 19601.4 to the Business and Professions Code, relating to horse racing, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 765, as introduced, Evans. Horse racing: racetrack inclosures.

Existing law requires fairs and racing associations to pay a certain percentage of the handle from races to be paid to the state as license fees.

This bill would provide that in the northern zone, certain fairs or associations, or combined entities shall pay an additional 1% of the handle to the state, to be used to construct or acquire improvements at a fair's racetrack inclosure or satellite wagering facility, or for acquiring property to construct a racetrack inclosure.

This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

This bill would take effect immediately as a tax levy.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 19601.4 is added to the Business and
- 2 Professions Code, to read:

1 19601.4. Notwithstanding any other provision of law, in the
2 northern zone, a fair or an association conducting thoroughbred
3 racing, quarter horse racing, harness racing, or mixed breed racing
4 at a fair-owned racetrack inclosure, or a fair or an entity formed
5 for conducting combined fair horse racing meetings which conducts
6 thoroughbred, quarter horse, harness or mixed breed racing at a
7 racetrack inclosure not owned by a fair, shall deduct an additional
8 1 percent of the handle, to be paid to the state as a license fee. The
9 license fees paid pursuant to this section shall be deposited in the
10 Racing Facility Improvement Fund, which shall be used solely for
11 the purpose of constructing or acquiring improvements at a fair's
12 racetrack inclosure or satellite wagering facility, or for acquiring
13 real property for the purpose of constructing a racetrack inclosure.
14 SEC. 2. This act provides for a tax levy within the meaning of
15 Article IV of the Constitution and shall go into immediate effect.