

Assembly Bill No. 2258

CHAPTER 453

An act to amend Section 19616.51 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 27, 2008. Filed with
Secretary of State September 27, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2258, Evans. Horse racing: license fees: shortfalls: pro rata assessment.

Existing law, the Horse Racing Law, provides that if the total amount paid to the state by racing associations and fairs is less than \$40,000,000 in any calendar year, all associations and fairs that conducted live racing during the year of the shortfall are required to remit certain amounts, on a pro rata basis according to the amount handled in-state by each association or fair, in order to attain that \$40,000,000 total.

This bill would specify instead that if the total amount paid to the state as license fees by racing associations and fairs is less than \$40,000,000 in any calendar year, all associations and fairs that conducted live racing during the year of the shortfall shall remit to the state, on a pro rata basis according to the amount paid as license fees by each association or fair, the amount necessary to bring the total amount paid to the state as license fees to \$40,000,000.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 19616.51 of the Business and Professions Code is amended to read:

19616.51. Notwithstanding any other provision of law, if the total amount paid to the state as license fees by racing associations and fairs pursuant to this chapter is less than forty million dollars (\$40,000,000) in any calendar year, beginning January 1, 2001, and thereafter, all associations and fairs that conducted live racing during the year of the shortfall shall remit to the state, on a pro rata basis according to the amount paid as license fees by each association or fair, the amount necessary to bring the total amount paid to the state as license fees to forty million dollars (\$40,000,000). The amounts due under this section, if any, shall be paid from the amount

available for commissions, purses, and breeder awards, and shall be paid to the board prior to March 1 of the year following the year of the shortfall.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that the California Horse Racing Board can properly account for, and collect all license fees paid to, the state by racing associations and fairs in the 2008 calendar year and collect any shortfall due from the 2008 horse racing season by March 1, 2009, in compliance with statute, it is necessary for this act to take effect immediately.