

## Senate Bill No. 561

### CHAPTER 380

An act to amend Sections 19532, 19549, and 19549.1 of the Business and Professions Code, relating to horse racing, making an appropriation therefor, 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

SB 561, Margett. Horse racing: racing days.

Existing law limits an association licensed to conduct thoroughbred racing in the northern zone to 22 weeks of that racing.

This bill would instead allow an association licensed to conduct thoroughbred racing in the northern zone up to 35 weeks of that racing.

Existing law generally limits the maximum number of racing days allocated to a fair to 14 days each year and limits those racing days to the period in which general fair activities are conducted.

This bill would expand the maximum period for racing allocated to a fair to 4 weeks each year and would remove the prohibition on racing outside of the period in which general fair activities are conducted.

Existing law limits the allocation of dates for a combined fair horse racing meeting to between July 1 and October 31, and places a limit on the total combined number of dates allocated for those meetings.

This bill would authorize combined fair horse racing meetings during the month of June, and would delete that limitation on the total combined number of dates for combined fair horse racing meetings.

By expanding the number of racing dates each year, this bill would authorize additional wagering and would increase the amount of continuously appropriated license fees, thereby making an appropriation.

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

Appropriation: yes.

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

SECTION 1. Section 19532 of the Business and Professions Code is amended to read:

19532. (a) Any association licensed to conduct thoroughbred racing in the northern zone may receive no more than 35 weeks of that racing.

(b) Any association licensed to conduct thoroughbred racing in the central zone may receive no more than 17 weeks of that racing, except that any

association which conducts a split meeting may receive up to 20 weeks of that racing. No more than one such split meeting may be licensed in any one year.

(c) This section and Section 19531 shall not operate to deprive any association of any weeks of racing granted during 1980.

(d) This section and Section 19531 shall not operate to deprive the California State Fair and Exposition of any weeks of racing granted during the previous calendar year, and the board may continue to allocate those weeks of racing to the California Exposition and State Fair or any lessee thereof.

(e) Nothing in subdivision (d) is a limitation on the board allocating racing weeks to any private racing association as a lessee of the California Exposition and State Fair racetrack facility pursuant to Sections 19531 and 19532.

SEC. 2. Section 19549 of the Business and Professions Code is amended to read:

19549. Except as provided in Section 19549.1, the maximum number of racing weeks that may be allocated to a fair shall be four weeks each year. The board shall take public testimony and make all determinations on the allocation of racing dates during a public hearing. All discussions of allocating racing dates by the board or its subcommittees shall be conducted during a public hearing. Nothing in this section diminishes the authority of the board to establish racing dates.

SEC. 3. Section 19549.1 of the Business and Professions Code is amended to read:

19549.1. Notwithstanding Sections 19533 and 19549 or any other provision of this chapter, the board may allocate horse racing days for mixed breed meetings and combined fair horse racing meetings pursuant to Section 4058 of the Food and Agricultural Code, except as follows:

(a) Dates may only be allocated for a combined fair horse racing meeting between June 1 and October 31.

(b) Days may not be allocated for a mixed breed meeting or a combined fair horse racing meeting during the month of June at the California Exposition and State Fair if a standardbred meeting is being conducted at that facility during the month of June.

The mixed breed meetings shall be conducted by a person other than the fair and shall be subject to Section 19550. The mixed breed meetings shall encourage the racing of emerging breeds of horses.

SEC. 4. 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:

Changes to the allocation of racing weeks in northern California are needed due to the imminent closure of Bay Meadows Race Track on September 1, 2008. It is necessary to expand the number of potential racing weeks that can be allocated to fairs or private racing associations in northern California because without the ability to race those weeks previously utilized

by Bay Meadows, thoroughbred racing in the north would have to close down. That closure would result in serious negative consequences for both the State of California and the racing industry.

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