

Assembly Bill No. 280

CHAPTER 98

An act to amend Sections 19406, 19619, and 19666 of the Business and Professions Code, relating to horse racing.

[Approved by Governor July 25, 2011. Filed with
Secretary of State July 25, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 280, Silva. Horse racing: California-bred horses and parimutuel tickets.

Under existing law, the California Horse Racing Board is responsible for adopting rules and regulations for the protection of the public and the control of horse racing and parimutuel wagering, as well as enforcing all laws, rules, and regulations dealing with horse racing and parimutuel wagering.

Existing law establishes a California Standardbred Sires Stakes Program for standardbred horses, including harness horses, bred in this state. Existing law defines a "California-bred standardbred horse" as a standardbred foal conceived in California by a stallion registered with the California Standardbred Sires Stakes Program. Existing law requires that California standardbred sires stakes races be scheduled for 2-year-old and 3-year-old trotters and 2-year-old and 3-year-old pacers at the discretion of the California Standardbred Sires Stakes Committee, except as specified. Existing law requires that base purses for each set of races, as defined, conducted during any given year at any race meeting be determined by the committee and requires that those purses be equal for all 2-year-old and 3-year-old races regardless of sex and gait, except that, if divisions are raced, the base purse for each division shall be no less than 75% of the original base purse and, if elimination heats are raced, the base purse shall be determined by the committee.

This bill would revise the definition of a California-bred standardbred horse to delete the requirement that the standardbred foal be conceived in California. The bill would also delete the requirement that base purses for each set of races be equal for all 2-year-old and 3-year-old races regardless of sex and gait, including the exception described above requiring a minimum base purse of 75% of the original base purse if divisions are raced, and instead require that all base purses for each set of races conducted during any given year at any race meeting be determined by the committee.

Existing law prohibits any person from altering or counterfeiting, or attempting to alter or counterfeit, any parimutuel ticket.

The bill would make a technical, nonsubstantive change to that provision.

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

SECTION 1. Section 19406 of the Business and Professions Code is amended to read:

19406. (a) A “California-bred horse” is a foal dropped by a mare in California after being conceived in California and remaining in California until the foal is weaned.

(b) A “California-bred thoroughbred” is a horse dropped by a mare in California after being conceived in California, or any thoroughbred horse dropped by a mare in California if the mare remains in California to be next bred to a thoroughbred stallion standing in California. If the mare cannot be bred for two successive breeding seasons but remains in California during that period, her foal shall be considered to be a California-bred thoroughbred.

(c) A “California-bred quarter horse” is a quarter horse foal conceived in California by a stallion standing in California at the time of conception.

(d) A “California-bred standardbred horse” is a standardbred foal conceived by a stallion registered with the California Standardbred Sires Stakes Program.

(e) A “California-bred Appaloosa horse” is a horse dropped by a mare in California after being conceived in California, or any Appaloosa horse dropped by a mare in California if the mare remains in California to be next bred to an Appaloosa stallion standing in California. If the mare cannot be bred for two successive breeding seasons but remains in California during that period, her foal shall be considered to be a California-bred Appaloosa horse.

(f) A “California-bred paint horse” is a registered paint horse foal conceived in California by a stallion standing in California at the time of the conception, or by a registered paint horse stallion.

(g) A “California-sired horse” is a thoroughbred that was conceived in California by a registered California stallion. A California-sired horse is only eligible for entry in races restricted to California-bred or California-sired horses and is not eligible for any breeder or owner awards.

SEC. 2. Section 19619 of the Business and Professions Code is amended to read:

19619. (a) Since the purpose of this chapter is to encourage agriculture and the breeding of horses in this state, a California Standardbred Sires Stakes Program is hereby established for standardbred horses bred in the State of California.

(b) Horses eligible to race in the California Standardbred Sires Stakes Program shall be the offspring of any registered California standardbred stallion standing in California during an entire breeding season.

(c) (1) Responsibility for the California Standardbred Sires Stakes Program is with the board. Administration of the California Standardbred Sires Stakes Program is the responsibility of the California Standardbred Sires Stakes Committee. The committee shall consist of five members and one alternate selected from and by the California Harness Horse Owners and Breeders Association.

(2) Administrative expenses of the committee in any given year shall not exceed 4 percent of that year’s income to the California Standardbred Sires Stakes Program, and all expenses shall be approved by the board.

(d) The board may do all that is necessary to ensure that the California Standardbred Sires Stakes Program is appropriately administered and shall prepare, issue, and adopt rules and regulations providing for all of the following:

(1) Classes and divisions of races, eligibility of horses and owners therefor, and prizes and awards to be awarded.

(2) Nominating, sustaining, and entry fees for horses and races.

(3) Registration and certification of California stallions, mares bred to those stallions, and foals produced thereby.

(4) Any other matter that is considered to be necessary and appropriate for the proper administration and implementation of the California Standardbred Sires Stakes Program.

(e) The funds for the California Standardbred Sires Stakes Program made available pursuant to Section 19491.7 and the nominating, sustaining, and entry fees provided for in this section shall be deposited with the California Standardbred Sires Stakes Committee. The committee shall distribute the funds deposited with it in accordance with this section for the purposes of the program in the manner approved by the board.

(f) Pursuant to Section 19491.7, the breakage used to fund the California Standardbred Sires Stakes Program and to increase purses shall be divided in accordance with the following criteria:

	California Standardbred Sires Stakes Program	Purses
1977.....	10%	90%
1978.....	20%	80%
1979.....	25%	75%
1980.....	50%	50%
January 1 to June 30, 1981.....	75%	25%
July 1, 1981, and thereafter.....	100%	0%

(g) An amount equal to 10 percent of the total purses raced for in the California sires stakes races shall be awarded to the standardbred breeders of the horses that earned purse money in the California standardbred sires stakes races in proportion to the amount of purse money earned by each horse.

(h) An amount equal to 2 percent of the total purses raced for in the California sires stakes races shall be awarded to the owners of the registered California standardbred stallions that sired horses that earned purse money in the California standardbred sires stakes races in proportion to the amount of purse money earned by each horse so sired.

(i) Notwithstanding subdivision (b), the board may establish a series of races for two-year-old and three-year-old fillies that are wholly owned by a California resident on the first day of January of the year that they become

two years old and are wholly owned by a California resident on the day of the race.

(j) The balance of the remaining funds, including nominating, sustaining, and entry fees, and after the expenditures described in subdivisions (e), (g), (h), and (i) have been made, shall be allocated to purses for races comprising the California Standardbred Sires Stakes Program.

(k) The schedule of races that shall comprise the California Standardbred Sires Stakes Program during each year shall be set by the board in accordance with the following criteria:

(1) California standardbred sires stakes races shall be scheduled for two-year-old and three-year-old trotters and two-year-old and three-year-old pacers at the discretion of the California Standardbred Sires Stakes Committee, except that no two-year-old races shall be held prior to the first day of June of any year. Races for four-year-old or aged trotters and four-year-old or aged pacers may also be scheduled.

(2) Two- and three-year-old races shall be divided into colt and filly divisions.

(3) Base purses for each set of races conducted during any given year at any race meeting shall be determined by the committee. As used in this section, a set of races means one final race for each eligible age, sex, and gait, as scheduled by the committee.

(4) In each division of each race in the California standardbred sires stakes races, the purse shall be divided in the following manner:

(i) Five or more starters	
1st	50%
2nd	25%
3rd	12%
4th	8%
5th	5%
(ii) Four starters	
1st	55%
2nd	25%
3rd	12%
4th	8%
(iii) Three starters	
1st	55%
2nd	30%
3rd	15%
(iv) Two starters	
1st	65%
2nd	35%
(v) One starter	
1st	100%

SEC. 3. Section 19666 of the Business and Professions Code is amended to read:

19666. A person shall not alter or counterfeit, or attempt to alter or counterfeit, any parimutuel ticket.

O