

Introduced by Senator PadillaFebruary 22, 2013

An act to amend Section 19549.12 of, and to repeal Section 19614.5 of, the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

SB 721, as introduced, Padilla. Horse racing: license fee retention.

(1) Existing law, the Horse Racing Law, generally regulates horse racing and vests the administration and enforcement of the Horse Racing Law in the California Horse Racing Board. A violation of the act, where no other penalty is expressed, is a misdemeanor. Existing law authorizes any county or district agricultural association fair conducting racing meetings for the first time on or after January 1, 1979, to retain the applicable state license fee for payment of a capital expense loan incurred for the purpose of preparing its facilities for horse racing.

This bill would repeal that authorization. Because this bill would expand the scope of a crime by removing an exception, it would create a state-mandated local program.

The bill would also make conforming changes.

(2) 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 19549.12 of the Business and Professions
2 Code is amended to read:
3 19549.12. Notwithstanding Sections 19482 and 19549, any
4 weeks of harness racing or quarter horse racing allocated by the
5 board to be raced at the facilities of a county fair ~~which that~~
6 conducts its racing meeting pursuant to Section 19549.3 may be
7 conducted by the fair. ~~License fees for racing at the facilities of~~
8 ~~the county fair other than for the racing days allocated pursuant~~
9 ~~to Section 19549.3 are exempt from Section 19614.5.~~

10 SEC. 2. Section 19614.5 of the Business and Professions Code
11 is repealed.

12 ~~19614.5. Notwithstanding Section 19614, any county or district~~
13 ~~agricultural association fair which is licensed to conduct racing~~
14 ~~meetings for the first time on or after January 1, 1979, may retain~~
15 ~~the license fee applicable to its meeting for payment of a capital~~
16 ~~expense loan incurred for the purpose of preparing its facilities for~~
17 ~~horseracing. This license fee retention shall be applicable only~~
18 ~~during the loan period and only so long as all the moneys retained~~
19 ~~are used to pay off the loan for the capital expenses.~~

20 SEC. 3. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.