

ASSEMBLY BILL

No. 136

Introduced by Assembly Member Silva

January 20, 2009

An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 136, as introduced, Silva. Horse racing: harness or quarter horse races: imported races.

Under existing law, the California Horse Racing Board is authorized to permit a harness or quarter horse association conducting a race meeting to accept wagers on the results of out-of-state or out-of-country harness or quarter horse races, and certain other designated harness or quarter horse races, if specified conditions are met. One of these conditions is that, if only one breed is being raced on a given day, the racing association conducting live racing may import those races that would otherwise be simulcast by the association which is not racing, subject to the limitation that the total number of harness or quarter horse races imported in a calendar year does not exceed the number of night races imported in 1998 after 5:30 p.m.

This bill would delete that limitation regarding the total number of harness or quarter horse races imported in a calendar year.

Under existing law, revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes.

By deleting a limitation on imported races, this bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.

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

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

1 SECTION 1. Section 19596.1 of the Business and Professions
2 Code is amended to read:

3 19596.1. (a) Notwithstanding any other provision of law, the
4 board may authorize a harness or quarter horse association
5 conducting a race meeting to accept wagers on the results of
6 out-of-state or out-of-country harness or quarter horse races and,
7 with the board's approval and with the concurrence of the
8 horsemen's organization contracting with the association, other
9 designated harness or quarter horse races during the period it is
10 conducting the racing meeting, if all of the following conditions
11 are met:

12 (1) The authorization complies with federal laws, including, but
13 not limited to, Chapter 57 (commencing with Section 3001) of
14 Title 15 of the United States Code.

15 (2) Wagering is offered only within the racing inclosure and
16 only within 36 hours of the running of the out-of-state feature race.

17 (3) The association conducts at least seven live races, and
18 imports not more than eight races on those days during a racing
19 meeting when live races are being run, except as provided in
20 subdivision (b).

21 (4) If only one breed of horse specified in this section is being
22 raced on a given day, then the association conducting the live
23 racing may import those races which would otherwise be simulcast
24 by the association which is not racing, ~~provided that the total~~
25 ~~number of harness or quarter horse races imported in a calendar~~
26 ~~year does not exceed the number of night races imported in 1998~~
27 ~~after 5:30 p.m.~~ After the usual deductions, including the portion
28 for the racing association, the portion remaining for purses from
29 these races shall be distributed equally for purses for harness
30 horsemen and quarter horse horsemen.

31 (5) No quarter horse or harness racing association shall accept
32 wagers on out-of-state or out-of-country quarter horse or harness

1 races commencing before 5:30 p.m., Pacific standard time, without
2 the consent of any thoroughbred association or fair that is then
3 conducting a live racing meeting in this state.

4 (b) An association that is authorized to import races pursuant
5 to subdivision (a) may, at its sole discretion, import fewer than the
6 maximum number of harness or quarter horse races authorized in
7 paragraph (3) of subdivision (a). For up to two races per night, for
8 each race that is not imported under the maximum authorized by
9 paragraph (3) of subdivision (a) on a particular night of racing, the
10 association may add a race to the number of races allowable under
11 the maximum authorization on another night of racing. However,
12 no more than two races may be added under this subdivision to
13 the number allowable on a single night, and the total number of
14 imported races over a calendar year may not exceed the total
15 number of imported races authorized pursuant to paragraphs (3)
16 and (4) of subdivision (a).