

Enrolled
Senate Bill 759

Sponsored by Senator MONROE; Senator NELSON

CHAPTER

AN ACT

Relating to racing; amending ORS 462.010, 462.142 and 462.725.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 462.010 is amended to read:

462.010. As used in this chapter, unless the context otherwise requires:

(1) "Breaks" means the odd cents remaining after the payoff prices have been computed in accordance with ORS 462.140 (3).

(2) "Calendar year" means a 12-month year, January 1 through December 31.

(3) "Commission" means the Oregon Racing Commission.

(4) "Continuous race meet" includes any exhibition of animal racing continuously at the same race course by two or more licensees where the mutuel system is used in conjunction with any race.

(5) "Drug" means any narcotic, sedative, anesthetic, analgesic, drug or other medication of any kind or description intended for use in any manner, directly or indirectly, internally or externally, in the diagnosis, treatment, mitigation or cure of injury or disease or for use in the prevention of disease that could affect, in any manner, the racing condition or performance of an animal as a depressant, stimulant, local anesthetic, analgesic, sedative or otherwise. "Drug" includes:

(a) Substances, other than foods, intended to affect the structure or any function of the body of the animal and all substances affecting the central nervous system, respiratory system or blood pressure of any animal other than vitamins or supplemental feeds; and

(b) Any identified substance that can affect or interfere with the true and accurate testing and analysis of blood, saliva, urine or other samples taken from racing animals.

(6) "Fiscal year" means a 12-month year, as described in ORS 293.605.

(7) "Gross mutuel wagering" means all mutuel wagering that is made in person:

(a) At the race course of a race meet licensee;

(b) At an off-race course mutuel wagering location approved by the commission; or

(c) Through account wagering authorized under ORS 462.142.

[(7)] (8) "Licensee" means a person, partnership, corporation, political subdivision, municipal corporation or any other body holding a license under this chapter.

[(8)] (9) "Mutuel" means a system whereby wagers with respect to the outcome of a race are placed with a wagering pool in which the participants are wagering with each other and not against the operator.

[(9)] (10) "Public training track" means any race course or other facility that is available or open to the public for use in the training or schooling of racing animals.

[(10)] (11) "Race" means any race conducted in a race meet. "Race" includes races conducted without wagering, provided one or more races in the meet are conducted with wagering.

[(11)] (12) “Race course” means all the premises used in connection with the conduct of a race meet, including but not limited to, the race track, grandstands, paddock, stables, kennels and all other buildings and grounds adjacent to or appurtenant to the physical limits of the race track.

[(12)] (13) “Race meet” means any exhibition of animal racing where the mutuel system is used in conjunction with any race.

SECTION 2. ORS 462.142 is amended to read:

462.142. (1) In addition to mutuel wagering otherwise authorized by this chapter, account wagering may be conducted upon such conditions as the Oregon Racing Commission determines appropriate. The commission may authorize only a race meet licensee who is the holder of a license issued under ORS 462.057, 462.062 or 462.067 to conduct account wagering.

(2) As used in this section, “account wagering” means a form of mutuel wagering in which an individual may deposit money in an account with a race meet licensee and then use the account balance to pay for mutuel wagering conducted by the licensee. An account wagerer [may] **must** be made in person[, by direct telephone call or by communication through other electronic media] by the holder of the account [to] **at** the race course.

SECTION 3. ORS 462.725 is amended to read:

462.725. (1) Notwithstanding any other provision of this chapter, the Oregon Racing Commission may develop and adopt rules to license and regulate all phases of operation of “Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs” located in Oregon. In addition to the other rules of operation adopted by the commission, the commission shall adopt a rule setting the amount that may be taken from the gross receipts of the multi-jurisdictional mutuel system.

(2) All employees working in Oregon and all officers of any “Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs” located and operating in Oregon must obtain a license from the Oregon Racing Commission prior to the commencement of business or employment. The fees for such licenses shall be the same as set forth in ORS 462.070.

(3) Payments to be made to the Oregon Racing Commission include:

(a) “Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub” license fee not more than \$200 per operating day.

(b) Not more than one percent of total gross **receipts of** mutuel wagering [receipts] recorded by the totalizator system.

(4) Of the moneys received by the Oregon Racing Commission under subsection (3)(b) of this section, 33-1/3 percent shall be paid to the State Treasurer for deposit in the General Fund and 66-2/3 percent shall be retained by the commission. The Oregon Racing Commission may adopt rules under which the moneys retained by the commission may be distributed for the benefit of the Oregon pari-mutuel racing industry.

Passed by Senate April 25, 2011

.....
Robert Taylor, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House May 17, 2011

.....
Bruce Hanna, Speaker of House

.....
Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

.....
Kate Brown, Secretary of State