

**A-Engrossed**  
**Senate Bill 759**

Ordered by the Senate April 19  
Including Senate Amendments dated April 19

Sponsored by Senator MONROE; Senator NELSON

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Defines "gross mutuel wagering" for purposes of laws regulating horse racing and greyhound racing.

**Requires animal racing account wager to be made in person.**

**A BILL FOR 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.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1        [(8)] (9) “Mutuel” means a system whereby wagers with respect to the outcome of a race are  
2 placed with a wagering pool in which the participants are wagering with each other and not against  
3 the operator.

4        [(9)] (10) “Public training track” means any race course or other facility that is available or  
5 open to the public for use in the training or schooling of racing animals.

6        [(10)] (11) “Race” means any race conducted in a race meet. “Race” includes races conducted  
7 without wagering, provided one or more races in the meet are conducted with wagering.

8        [(11)] (12) “Race course” means all the premises used in connection with the conduct of a race  
9 meet, including but not limited to, the race track, grandstands, paddock, stables, kennels and all  
10 other buildings and grounds adjacent to or appurtenant to the physical limits of the race track.

11       [(12)] (13) “Race meet” means any exhibition of animal racing where the mutuel system is used  
12 in conjunction with any race.

13        **SECTION 2.** ORS 462.142 is amended to read:

14        462.142. (1) In addition to mutuel wagering otherwise authorized by this chapter, account  
15 wagering may be conducted upon such conditions as the Oregon Racing Commission determines  
16 appropriate. The commission may authorize only a race meet licensee who is the holder of a license  
17 issued under ORS 462.057, 462.062 or 462.067 to conduct account wagering.

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

23        **SECTION 3.** ORS 462.725 is amended to read:

24        462.725. (1) Notwithstanding any other provision of this chapter, the Oregon Racing Commission  
25 may develop and adopt rules to license and regulate all phases of operation of “Multi-Jurisdictional  
26 Simulcasting and Interactive Wagering Totalizator Hubs” located in Oregon. In addition to the other  
27 rules of operation adopted by the commission, the commission shall adopt a rule setting the amount  
28 that may be taken from the gross receipts of the multi-jurisdictional mutuel system.

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

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

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

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

38        (4) Of the moneys received by the Oregon Racing Commission under subsection (3)(b) of this  
39 section, 33-1/3 percent shall be paid to the State Treasurer for deposit in the General Fund and  
40 66-2/3 percent shall be retained by the commission. The Oregon Racing Commission may adopt rules  
41 under which the moneys retained by the commission may be distributed for the benefit of the Oregon  
42 pari-mutuel racing industry.