

Requested by Representative WILDE

**PROPOSED AMENDMENTS TO
HOUSE BILL 3394**

1 On page 1 of the printed bill, line 2, before the period insert “; creating
2 new provisions; and amending ORS 462.155 and 462.725”.

3 On page 2, after line 36, insert:

4 **“SECTION 4. Section 5 of this 2021 Act is added to and made a part
5 of ORS chapter 462.**

6 **“SECTION 5. (1) As used in this section, ‘historical animal racing’
7 means animal races that were previously held.**

8 **“(2) A mutuel wager on historical animal racing may be placed only
9 from a physical race course of a licensee.**

10 **“(3) A mutuel wager on historical animal racing may not be placed
11 using an electronic device unless the device is owned or leased by the
12 operator of the race course at which the wager is placed.**

13 **“(4) No person may place a mutuel wager on historical animal rac-
14 ing via a mobile phone, personal computer or other personal electronic
15 device.**

16 **“(5) No person may accept a mutuel wager on historical animal
17 racing if the wager is placed via a mobile phone, personal computer
18 or other personal electronic device.**

19 **“(6) Nothing in this section independently authorizes wagering or
20 facilitation of wagering on historical animal racing.**

21 **“SECTION 6. ORS 462.155 is amended to read:**

1 “462.155. (1) The Oregon Racing Commission may allow a race meet op-
2 erator that holds a Class A license to conduct mutuel wagering at the
3 licensee’s race course on horse races previously held if:

4 “(a) The races were actual events held at race courses during race meets;

5 “(b) The races were subject to mutuel wagering at the time the races were
6 originally held; and

7 “(c) The race meets at which the races were originally held were approved
8 by the commission or by an equivalent regulatory body in another state.

9 “(2) Subsection (1) of this section allows mutuel wagering on a horse race
10 displayed as a video or audio recording, or another form of recording ap-
11 proved by the commission, but does not authorize wagering on any ani-
12 mation, computer simulation or other artificial representation of horse
13 racing.

14 “(3) Subsection (1) of this section does not apply to a race meet operator
15 described in ORS 462.057 (2). Subsection (1) of this section does not authorize
16 off-race course wagering or multi-jurisdictional simulcasting for horse races
17 previously held.

18 “(4) **Wagers authorized under subsection (1) of this section are**
19 **subject to the provisions of section 5 of this 2021 Act.**

20 “**SECTION 7.** ORS 462.725 is amended to read:

21 “462.725. (1) Notwithstanding any other provision of this chapter, the
22 Oregon Racing Commission may adopt rules to:

23 “(a) License and regulate all phases of operation of Multi-Jurisdictional
24 Simulcasting and Interactive Wagering Totalizator Hubs located in Oregon;
25 and

26 “(b) Authorize and license Multi-Jurisdictional Simulcasting and Interac-
27 tive Wagering Totalizator Hubs to conduct simulcast broadcasting of, and
28 mutuel wagering on, animal races, including previously held races on which
29 mutuel wagering is lawful in Oregon.

30 “(2) In addition to the other rules of operation adopted by the commission,

1 the commission shall adopt a rule setting the amount that may be taken from
2 the gross receipts of the multi-jurisdictional mutuel system.

3 “(3) All employees working in Oregon and all officers of any Multi-
4 Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs lo-
5 cated and operating in Oregon must obtain a license from the commission
6 prior to the commencement of business or employment. The commission shall
7 adopt rules establishing license fees for the employees and officers, not to
8 exceed \$30 per year.

9 “(4) Payments to be made to the commission include:

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

12 “(b) Not more than one percent of total gross receipts of mutuel wagering
13 recorded by the totalizator system.

14 “(5) Of the moneys received by the commission under subsection (4)(b) of
15 this section, 25 percent shall be paid to the State Treasurer for deposit in
16 the General Fund and 75 percent shall be retained by the commission. The
17 commission may adopt rules under which the moneys retained by the com-
18 mission may be distributed for the benefit of the Oregon pari-mutuel racing
19 industry.

20 “(6) **Wagers on previously held races authorized under subsection**
21 **(1) of this section are subject to the provisions of section 5 of this 2021**
22 **Act.**”.

23
