



# Oregon

Kate Brown, Governor

**Oregon Racing Commission**

800 NE Oregon St Ste 310

Portland, OR 97232-2162

(971) 673-0207

(971) 673-0213 - Fax

<http://racing.oregon.gov>

Dear Representative Gomberg:

I am writing in response to your letter of October 5, 2022, concerning enforcement of SB 1504 (2022).

With regard to the concerns expressed in your letter, it is the Oregon Racing Commission's (Commission) understanding (having conferred with the Department of Justice) that the Florida Constitution provision you cited (Article X, Section 32) prohibits a person authorized to conduct gaming or pari-mutuel operations from racing greyhounds "or any member of the *Canis Familiaris* subspecies" in connection with wagering in the State of Florida. And, that section of the Florida Constitution also prohibits persons in Florida from wagering on "the outcome of a live dog race" occurring within Florida. However, that section of the Florida Constitution does not make wagering by Floridians on the outcome of a live dog race taking place outside Florida illegal. It also does not make the acceptance of wagers from Floridians on dog races taking place outside Florida illegal. Indeed, this is an example of the scenario that USBets, in its March 3, 2022, article quoted former Executive Director McGrail as attempting to explain – that while some states have made live greyhound racing illegal within their own state they have not, in addition, made *wagering* on live greyhound racing (or other dog racing) elsewhere illegal for their residents. This interpretation of the Florida Constitution was specifically confirmed with the Florida Gaming and Control Commission on January 31, 2023.

Turning specifically to your concerns related to Twin Spires reported actions in Florida, the Commission investigated those allegations and did not find evidence that Twin Spires is racing greyhounds, or any other dogs, in Florida for the purpose of conducting wagering in Florida. Neither has the Commission found evidence that Twin Spires is taking bets on greyhound, or other dog, races that are taking place in Florida, nor that Twin Spires is taking wagers from Floridians on the outcome of dog races of any kind taking place in Florida. Thus, the Commission has no basis to pursue action against Twin Spires at this time.

Nor does Twin Spires appear to be violating Oregon SB 1504, Section 7 (2022), by taking wagers from Floridians on live greyhound racing taking place in other states or countries.<sup>1</sup> This is because SB 1504(7) provides:

A Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hub licensee may establish an account for wagering on greyhound racing for an

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<sup>1</sup> ORC also has seen no evidence of Twin Spires accepting bets on dog races, other than greyhound races, from any location.



individual *unless wagering on live greyhound racing is unlawful in the jurisdiction of the individual's principal residence.*

Since Florida only prohibits *wagering* on live greyhound racing taking place in the State of Florida and the bets being taken by Twin Spires from Floridians are on live greyhound racing taking place outside Florida, Twin Spires is not in violation of SB 1504 on this issue.

You also mentioned that additional ADWs may be ignoring SB 1504 (7). The Commission does not have any evidence of ADWs ignoring SB 1504(7). If you do, please do not hesitate to provide the Commission with that evidence and the Commission will investigate.

Thank you for contacting me. Please know that the Commission takes seriously its obligation to uphold the laws of the State of Oregon and will investigate when presented with evidence of potential violations.

I look forward to continuing to work with you in my new role as the Executive Director of the Commission.

Regards,



Connie Woods Winn  
Executive Director  
Oregon Racing Commission