

**House Study Bill 713 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON MASCHER)

**A BILL FOR**

- 1 An Act concerning live dog racing at pari-mutuel dog
- 2 racetracks, establishing fees, and including effective date
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 99D.9A Exemption from live racing  
2 — fee.

3 1. A licensee authorized to operate a pari-mutuel dog  
4 racetrack and to conduct gambling games pursuant to section  
5 99F.6 as of January 1, 2010, may, upon written notification  
6 to the commission and agreement to pay a racing exemption fee  
7 to the commission as provided in this section, discontinue  
8 scheduling performances of live dog races at the racetrack  
9 and maintain a license under this chapter for purposes of  
10 permitting pari-mutuel wagering on simultaneously telecast dog  
11 races.

12 2. For purposes of this section, the racing exemption fee  
13 shall be determined and paid as follows:

14 a. For the pari-mutuel dog racetrack located in Dubuque  
15 county, the payment of a total of ten million dollars, payable  
16 in two equal installments in December and June of the fiscal  
17 year beginning July 1, 2010, or the payment of three million  
18 dollars each January in the seven consecutive calendar years  
19 commencing January 2011.

20 b. For the pari-mutuel dog racetrack located in  
21 Pottawattamie county, the payment of a total of twenty-five  
22 million dollars, payable in two equal installments in December  
23 and June of the fiscal year beginning July 1, 2010, or the  
24 payment of seven million dollars each January in the seven  
25 consecutive calendar years commencing January 2011.

26 3. The racing exemption fee shall be paid to the commission  
27 for deposit in the general fund of the state.

28 Sec. 2. Section 99D.11, subsection 6, paragraph b, Code  
29 Supplement 2009, is amended to read as follows:

30 b. (1) The commission may authorize the licensee to  
31 simultaneously telecast within the racetrack enclosure, for  
32 the purpose of pari-mutuel wagering, a horse or dog race  
33 licensed by the racing authority of another state. It is  
34 the responsibility of each licensee to obtain the consent of  
35 appropriate racing officials in other states as required by

1 the federal Interstate Horseracing Act of 1978, 15 U.S.C.  
2 § 3001-3007, to televise races for the purpose of conducting  
3 pari-mutuel wagering.

4 (2) A licensee may also obtain the permission of a person  
5 licensed by the commission to conduct horse or dog races  
6 in this state to televise races conducted by that person  
7 for the purpose of conducting pari-mutuel racing. However,  
8 arrangements made by a licensee to televise any race for  
9 the purpose of conducting pari-mutuel wagering are subject  
10 to the approval of the commission, and the commission shall  
11 select the races to be televised. The races selected by the  
12 commission shall be the same for all licensees approved by the  
13 commission to televise races for the purpose of conducting  
14 pari-mutuel wagering. The commission shall not authorize the  
15 simultaneous telecast or televising of and a licensee shall  
16 not simultaneously telecast or televise any horse or dog race  
17 for the purpose of conducting pari-mutuel wagering unless the  
18 simultaneous telecast or televising is done at the racetrack  
19 of a licensee that schedules no less than sixty performances  
20 of nine live races each day of the season or that is exempt  
21 from scheduling performances of live races pursuant to section  
22 99D.9A.

23 (3) For purposes of the taxes imposed under this chapter,  
24 races televised by a licensee for purposes of pari-mutuel  
25 wagering shall be treated as if the races were held at the  
26 racetrack of the licensee. Notwithstanding any contrary  
27 provision in this chapter, the commission may allow a licensee  
28 to adopt the same deductions as those of the pari-mutuel  
29 racetrack from which the races are being simultaneously  
30 telecast.

31 Sec. 3. Section 99F.6, subsection 4, paragraph b, Code 2009,  
32 is amended to read as follows:

33 b. The commission shall authorize the licensees of  
34 pari-mutuel dog racetracks located in Dubuque county and Black  
35 Hawk county to conduct gambling games as provided in section

1 99F.4A if the licensees schedule at least one hundred thirty  
2 performances of twelve live races each day during a season of  
3 twenty-five weeks. For the pari-mutuel dog racetrack located  
4 in Pottawattamie county, the commission shall authorize the  
5 licensee to conduct gambling games as provided in section  
6 99F.4A if the licensee schedules at least two hundred ninety  
7 performances of twelve live races each day during a season of  
8 fifty weeks. The commission shall approve an annual contract  
9 to be negotiated between the annual recipient of the dog racing  
10 promotion fund and each dog racetrack licensee to specify the  
11 percentage or amount of gambling game proceeds which shall be  
12 dedicated to supplement the purses of live dog races. The  
13 parties shall agree to a negotiation timetable to insure no  
14 interruption of business activity. If the parties fail to  
15 agree, the commission shall impose a timetable. If the two  
16 parties cannot reach agreement, each party shall select a  
17 representative and the two representatives shall select a  
18 third person to assist in negotiating an agreement. The two  
19 representatives may select the commission or one of its members  
20 to serve as the third party. Alternately, each party shall  
21 submit the name of the proposed third person to the commission  
22 who shall then select one of the two persons to serve as  
23 the third party. All parties to the negotiations, including  
24 the commission, shall consider that the dog racetracks were  
25 built to facilitate the development and promotion of Iowa  
26 greyhound racing dogs in this state and shall negotiate and  
27 decide accordingly. However, the requirement to conduct  
28 performances of live races for purposes of conducting gambling  
29 games under this chapter shall not apply to a licensee exempt  
30 from scheduling performances of live races pursuant to section  
31 99D.9A.

32 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
33 immediate importance, takes effect upon enactment.

34 EXPLANATION

35 This bill concerns the conduct of live dog racing at

1 pari-mutuel dog racetracks authorized to conduct gambling  
2 games.

3 New Code section 99D.9A allows a licensee authorized to  
4 operate a pari-mutuel dog racetrack and to conduct gambling  
5 games as of January 1, 2010, to pay a racing exemption fee,  
6 to discontinue scheduling performances of live dog races, and  
7 to maintain a license under Code chapter 99D for purposes of  
8 permitting pari-mutuel wagering on simultaneously telecast dog  
9 races. The new Code section sets the exemption fee for the  
10 pari-mutuel dog racetrack located in Dubuque county at either  
11 \$10 million, payable in two equal installments in December  
12 and June of the fiscal year beginning July 1, 2010, or at  
13 \$3 million, payable each January in the seven consecutive  
14 calendar years commencing January 2011. For the pari-mutuel  
15 dog racetrack located in Pottawattamie county, the fee is set  
16 at either \$25 million, payable in two equal installments in  
17 December and June of the fiscal year beginning July 1, 2010, or  
18 at \$7 million, payable each January in the seven consecutive  
19 calendar years commencing January 2011.

20 Code section 99D.11(6)(b), concerning pari-mutuel wagering  
21 on simultaneous telecasts of horse or dog races, is amended  
22 to allow a simultaneous telecast of dog races at a licensee  
23 in this state that is exempt from scheduling live dog races  
24 pursuant to new Code section 99D.9A. Under current law,  
25 simulcast telecasting of races can only be allowed at a  
26 racetrack of a licensee that schedules no less than 60  
27 performances of nine live races each day of the season.

28 Code section 99F.6(4)(b) is amended to allow the conduct of  
29 gambling games at a pari-mutuel dog racetrack that is exempt  
30 from scheduling performances of live races pursuant to new Code  
31 section 99D.9A.

32 This bill takes effect upon enactment.