

99D.9B Iowa greyhound pari-mutuel racing fund.

1. An Iowa greyhound pari-mutuel racing fund is created in the state treasury under the control of the racing and gaming commission.

2. The fund shall consist of all of the following:

a. Moneys in the dog racing promotion fund created in [section 99D.12](#) that were deposited in the fund from a dog racetrack licensee that is no longer required to conduct live dog races pursuant to [section 99D.9A](#).

b. Moneys deposited in the fund from the live racing cessation fee established in [section 99D.9A](#).

3. a. Fifty percent of the moneys deposited in the fund shall first be distributed to the Iowa greyhound association for deposit in the escrow account established by the Iowa greyhound association pursuant to the requirements of [section 99D.9C](#), provided the Iowa greyhound association is licensed under [this chapter](#) to conduct pari-mutuel wagering on live dog races or simultaneously telecast horse or dog races pursuant to the requirements of [section 99D.9C](#), by December 15, 2014.

b. Moneys remaining in the fund following distribution to the Iowa greyhound association as provided in [this subsection](#) shall be under the sole control of the commission. The commission shall determine the method by which moneys remaining in the fund will be distributed, provided that the commission shall distribute a portion of the moneys in the fund to no-kill animal adoption agencies to facilitate care for and adoption of greyhounds no longer racing as a result of the discontinuance of live racing. The commission may consider objective evidence, including purse payments to greyhound industry participants for the period beginning January 1, 2010, and ending December 31, 2014, in determining the method of distribution. The commission may hire an expert to assist in the task of making distributions from the fund. The commission may distribute moneys from the fund to greyhound industry participants and to kennel owners and operators and greyhound owners for costs incurred in removing property from the dog racetrack located in Pottawattamie county as required by [section 99D.9A, subsection 2](#), paragraph “c”. Prior to adoption of any formula for distribution, the commission shall allow for input from greyhound industry participants. The distribution decisions of the commission shall be final. The commission may use moneys in the fund to pay its direct and indirect administrative expenses incurred in administering the fund, including the hiring of experts to assist in the commission’s distribution determination. Members of the commission, employees of the commission, and any experts hired by the commission pursuant to [this section](#) shall be held harmless against any claim of liability made by any person arising out of the distribution of moneys from the fund by the commission.

4. [Section 8.33](#) does not apply to moneys in the fund. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the fund shall be credited to the fund.

5. The commission shall adopt rules to administer [this section](#).

2014 Acts, ch 1126, §3; 2015 Acts, ch 29, §19

Referred to in [§99D.9](#), [§99D.9A](#), [§99D.9C](#), [§99D.10](#)

Subsection 3, paragraph b amended