

# House Amendment 2082

PAG LIN

1 1 Amend Senate File 348, as passed by the Senate, as  
1 2 follows:

1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:

1 5 <Section 1. Section 99D.11, subsection 6,  
1 6 paragraph b, Code 2007, is amended to read as follows:

1 7 b. (1) The commission may authorize the licensee  
1 8 to simultaneously telecast within the racetrack  
1 9 enclosure, for the purpose of pari-mutuel wagering, a  
1 10 horse or dog race licensed by the racing authority of  
1 11 another state. It is the responsibility of each  
1 12 licensee to obtain the consent of appropriate racing  
1 13 officials in other states as required by the federal  
1 14 Interstate Horseracing Act of 1978, 15 U.S.C. }  
1 15 3001=3007, to televise races for the purpose of  
1 16 conducting pari-mutuel wagering.

1 17 (2) A licensee may also obtain the permission of a  
1 18 person licensed by the commission to conduct horse or  
1 19 dog races in this state to televise races conducted by  
1 20 that person for the purpose of conducting pari-mutuel  
1 21 racing. However, arrangements made by a licensee to  
1 22 televise any race for the purpose of conducting  
1 23 pari-mutuel wagering are subject to the approval of  
1 24 the commission, and the commission shall select the  
1 25 races to be televised. The races selected by the  
1 26 commission shall be the same for all licensees  
1 27 approved by the commission to televise races for the  
1 28 purpose of conducting pari-mutuel wagering. The  
1 29 commission shall not authorize the simultaneous  
1 30 telecast or televising of and a licensee shall not  
1 31 simultaneously telecast or televise any horse or dog  
1 32 race for the purpose of conducting pari-mutuel  
1 33 wagering unless the simultaneous telecast or  
1 34 televising is done at the racetrack of a licensee that  
1 35 schedules no less than sixty performances of nine live  
1 36 races each day of the season or is done for an entity  
1 37 licensed in another state to conduct pari-mutuel  
1 38 wagering that accepts wagers only within states in  
1 39 which it is licensed or authorized to accept wagers.

1 40 (3) For purposes of the taxes imposed under this  
1 41 chapter, races televised by a licensee for purposes of  
1 42 pari-mutuel wagering shall be treated as if the races  
1 43 were held at the racetrack of the licensee.  
1 44 Notwithstanding any contrary provision in this  
1 45 chapter, the commission may allow a licensee to adopt  
1 46 the same deductions as those of the pari-mutuel  
1 47 racetrack from which the races are being  
1 48 simultaneously telecast.

1 49 Sec. 2. Section 99F.6, subsection 4, paragraph a,  
1 50 Code 2007, is amended to read as follows:

2 1 a. Before a license is granted, the division of  
2 2 criminal investigation of the department of public  
2 3 safety shall conduct a thorough background  
2 4 investigation of the applicant for a license to  
2 5 operate a gambling game operation on an excursion  
2 6 gambling boat. The applicant shall provide  
2 7 information on a form as required by the division of  
2 8 criminal investigation. A qualified sponsoring  
2 9 organization licensed to operate gambling games under  
2 10 this chapter shall distribute the receipts of all  
2 11 gambling games, less reasonable expenses, charges,  
2 12 taxes, fees, and deductions allowed under this  
2 13 chapter, as winnings to players or participants or  
2 14 shall distribute the receipts for educational, civic,  
2 15 public, charitable, patriotic, or religious uses as  
2 16 defined in section 99B.7, subsection 3, paragraph "b".  
2 17 However, a licensee to conduct gambling games under  
2 18 this chapter shall, unless an operating agreement for  
2 19 an excursion gambling boat otherwise provides,  
2 20 distribute at least three percent of the adjusted  
2 21 gross receipts for each license year for educational,  
2 22 civic, public, charitable, patriotic, or religious  
2 23 uses as defined in section 99B.7, subsection 3,  
2 24 paragraph "b". However, if a licensee who is also

2 25 licensed to conduct pari-mutuel wagering at a horse  
2 26 racetrack has unpaid debt from the pari-mutuel  
2 27 racetrack operations, the first receipts of the  
2 28 gambling games operated within the racetrack enclosure  
2 29 less reasonable operating expenses, taxes, and fees  
2 30 allowed under this chapter shall be first used to pay  
2 31 the annual indebtedness. The commission shall  
2 32 authorize, subject to ~~the debt payments for horse~~  
~~2 33 racetracks and the provisions of paragraph "b" for dog~~  
~~2 34 racetracks, and the debt payment provisions of this~~  
~~2 35 paragraph and the provisions of paragraph "c" for~~  
~~2 36 horse racetracks,~~ a licensee who is also licensed to  
2 37 conduct pari-mutuel dog or horse racing to use  
2 38 receipts from gambling games within the racetrack  
2 39 enclosure to supplement purses for races particularly  
2 40 for Iowa-bred horses pursuant to an agreement which  
2 41 shall be negotiated between the licensee and  
2 42 representatives of the dog or horse owners. ~~For~~  
~~2 43 agreements subject to commission approval concerning~~  
~~2 44 purses for horse racing beginning on or after January~~  
~~2 45 1, 2006, and ending before January 1, 2021, the~~  
~~2 46 agreements shall provide that total annual purses for~~  
~~2 47 all horse racing shall be no less than eleven percent~~  
~~2 48 of the first two hundred million dollars of net~~  
~~2 49 receipts, and six percent of net receipts above two~~  
~~2 50 hundred million dollars. Agreements that are subject~~  
~~3 1 to commission approval concerning horse purses for a~~  
~~3 2 particular period of time beginning on or after~~  
~~3 3 January 1, 2006, and ending before January 1, 2021,~~  
~~3 4 shall be jointly submitted to the commission for~~  
~~3 5 approval.~~ A qualified sponsoring organization shall  
3 6 not make a contribution to a candidate, political  
3 7 committee, candidate's committee, state statutory  
3 8 political committee, county statutory political  
3 9 committee, national political party, or fund-raising  
3 10 event as these terms are defined in section 68A.102.  
3 11 The membership of the board of directors of a  
3 12 qualified sponsoring organization shall represent a  
3 13 broad interest of the communities. ~~For purposes of~~  
~~3 14 this paragraph, "net receipts" means the annual~~  
~~3 15 adjusted gross receipts from all gambling games less~~  
~~3 16 the annual amount of money pledged by the owner of the~~  
~~3 17 facility to fund a project approved to receive vision~~  
~~3 18 Iowa funds as of July 1, 2004.~~

3 19 Sec. 3. Section 99F.6, subsection 4, Code 2007, is  
3 20 amended by adding the following new paragraph:

3 21 NEW PARAGRAPH. c. (1) The commission shall  
3 22 authorize the licensee of a pari-mutuel horse  
3 23 racetrack located in Polk county to conduct gambling  
3 24 games as provided in section 99F.4A if the licensee  
3 25 conducts, during a calendar year, a live horse racing  
3 26 meet including both thoroughbred horses and quarter  
3 27 horses during a combined total of not less than ninety  
3 28 performance days and a live horse racing meet for  
3 29 standardbred horses of not less than seventeen  
3 30 performance days. In conducting the live horse racing  
3 31 meet for thoroughbred horses and quarter horses, the  
3 32 licensee shall conduct no less than seven hundred  
3 33 sixty live racing performances for no less than ninety  
3 34 performance days for thoroughbred horses, and no less  
3 35 than one hundred ninety-two live horse racing  
3 36 performances for no less than forty-six performance  
3 37 days for quarter horses. In conducting the live horse  
3 38 racing meet for standardbred horses, the licensee  
3 39 shall conduct no less than one hundred fifty-three  
3 40 live racing performances for no less than seventeen  
3 41 performance days. However, the number of live races  
3 42 shall be subject to availability of horses and  
3 43 competitive field sizes and a live race shall not be  
3 44 conducted if there are fewer than five betting  
3 45 interests for that race at the time entries are  
3 46 closed.

3 47 (2) For agreements subject to commission approval  
3 48 concerning purses for horse racing beginning on or  
3 49 after January 1, 2008, and ending before January 1,  
3 50 2021, the agreements shall provide that total annual  
4 1 purses for all horse racing shall be no less than  
4 2 eleven percent of the first two hundred million  
4 3 dollars of net receipts, and six percent of net  
4 4 receipts above two hundred million dollars. In  
4 5 addition, for agreements concerning horse racing

4 6 between the licensee operating the horse racetrack in  
4 7 Polk county and representatives of standardbred horse  
4 8 owners, the agreement shall include a supplemental  
4 9 amount for standardbred horse races held at county  
4 10 fair racetracks in the state in an amount not less  
4 11 than one million two hundred thousand dollars and the  
4 12 supplemental amount shall not be included in  
4 13 determining the total annual purses for all horse  
4 14 racing that is required to be paid as provided by this  
4 15 paragraph "c". Any agreement that is subject to  
4 16 commission approval concerning horse racing beginning  
4 17 on or after January 1, 2008, and ending before January  
4 18 1, 2021, including but not limited to provisions  
4 19 governing horse purses and the purses or amounts for  
4 20 each applicable horse breed, and racing schedules,  
4 21 shall be jointly submitted to the commission for  
4 22 approval. All parties negotiating an agreement  
4 23 subject to commission approval, as well as the  
4 24 commission, shall consider that the purpose of  
4 25 building the horse racetrack was to facilitate the  
4 26 development and promotion of Iowa thoroughbred,  
4 27 quarter horse, and standardbred horses in this state  
4 28 and shall negotiate and make decisions in accordance  
4 29 with that purpose. For purposes of this subparagraph,  
4 30 "net receipts" means the annual adjusted gross  
4 31 receipts from all gambling games.>

4 32 #2. Page 3, by striking lines 14 through 17 and  
4 33 inserting the following:

4 34 <Sec. \_\_\_\_\_. EFFECTIVE DATE == RETROACTIVE  
4 35 APPLICABILITY.

4 36 1. The sections of this Act amending section  
4 37 99F.6, subsection 4, take effect January 1, 2008.

4 38 2. The section of this Act amending section 99F.7,  
4 39 subsection 11, being deemed of immediate importance,  
4 40 takes effect upon enactment and is retroactively  
4 41 applicable to elections occurring on and after January  
4 42 1, 1994.>

4 43 #3. Title page, by striking lines 1 and 2 and  
4 44 inserting the following: <An Act concerning horses  
4 45 and horse racing, by providing for pari-mutuel  
4 46 wagering, minimum racing days and horse racing  
4 47 agreements among representatives of horse breeds,  
4 48 county gambling elections, including effective date  
4 49 and retroactive applicability provisions.>

4 50 #4. By renumbering as necessary.

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4 QUIRK of Chickasaw

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8 MERTZ of Kossuth

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12 DE BOEF of Keokuk

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16 SANDS of Louisa

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20 D. OLSON of Boone

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24 GREINER of Washington

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