

House Amendment 8055

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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. _____. Section 99F.4, Code Supplement 2007, is
1 50 amended by adding the following new subsections:
2 1 NEW SUBSECTION. 26. To conduct or commission a
2 2 study on the economic impact of the horse racing
2 3 industry in Iowa every four years beginning in
2 4 calendar year 2009 and issue a report on that study.
2 5 The study shall also examine the costs and expenses
2 6 incurred by licensees in conducting horse racing. The
2 7 commission shall ensure that the results of each study
2 8 are readily accessible to the public and a copy of the
2 9 report on the study shall be submitted to the general
2 10 assembly by January 1 following the year in which the
2 11 study is conducted. The licensee of a pari-mutuel
2 12 horse racetrack enclosure authorized to conduct
2 13 gambling games under this chapter and representatives
2 14 of horse breeds subject to an agreement with the
2 15 licensee as provided in section 99F.6 shall provide
2 16 the commission such information as the commission
2 17 requests. Failure of the licensee to provide the
2 18 information requested if it is within the licensee's
2 19 control or possession shall subject the licensee to
2 20 penalty which may include but is not limited to fines.
2 21 and the denial of an application to renew its license.
2 22 Failure of the representative of a horse breed to
2 23 provide the information requested if it is within the
2 24 representative's control or possession shall subject

2 25 that representative to penalty which may include but
2 26 is not limited to fines and the forfeiture of racing
2 27 performances and purses for that horse breed.
2 28 NEW SUBSECTION. 27. To conduct or commission a
2 29 study on the economic impact of the dog racing
2 30 industry in Iowa every four years beginning in
2 31 calendar year 2011 and issue a report on that study.
2 32 The study shall also examine the costs and expenses
2 33 incurred by licensees in conducting dog racing. The
2 34 commission shall ensure that the results of each study
2 35 are readily accessible to the public and a copy of the
2 36 report on the study shall be submitted to the general
2 37 assembly by January 1 following the year in which the
2 38 study is conducted. The licensee of a pari-mutuel dog
2 39 racetrack enclosure authorized to conduct gambling
2 40 games under this chapter and representatives of dogs
2 41 subject to an agreement with the licensee as provided
2 42 in section 99F.6 shall provide the commission such
2 43 information as the commission requests. Failure of
2 44 the licensee to provide the information requested if
2 45 it is within the licensee's control or possession
2 46 shall subject the licensee to penalty which may
2 47 include but is not limited to fines and the denial of
2 48 an application to renew its license. Failure of the
2 49 representative of dogs to provide the information
2 50 requested if it is within the representative's control
3 1 or possession shall subject that representative to
3 2 penalty which may include but is not limited to fines
3 3 and the forfeiture of racing performances and purses.

3 4 Sec. _____. Section 99F.6, subsection 4, paragraph
3 5 a, Code Supplement 2007, is amended to read as
3 6 follows:

3 7 a. Before a license is granted, the division of
3 8 criminal investigation of the department of public
3 9 safety shall conduct a thorough background
3 10 investigation of the applicant for a license to
3 11 operate a gambling game operation on an excursion
3 12 gambling boat. The applicant shall provide
3 13 information on a form as required by the division of
3 14 criminal investigation. A qualified sponsoring
3 15 organization licensed to operate gambling games under
3 16 this chapter shall distribute the receipts of all
3 17 gambling games, less reasonable expenses, charges,
3 18 taxes, fees, and deductions allowed under this
3 19 chapter, as winnings to players or participants or
3 20 shall distribute the receipts for educational, civic,
3 21 public, charitable, patriotic, or religious uses as
3 22 defined in section 99B.7, subsection 3, paragraph "b".
3 23 However, a licensee to conduct gambling games under
3 24 this chapter shall, unless an operating agreement for
3 25 an excursion gambling boat otherwise provides,
3 26 distribute at least three percent of the adjusted
3 27 gross receipts for each license year for educational,
3 28 civic, public, charitable, patriotic, or religious
3 29 uses as defined in section 99B.7, subsection 3,
3 30 paragraph "b". However, if a licensee who is also
3 31 licensed to conduct pari-mutuel wagering at a horse
3 32 racetrack has unpaid debt from the pari-mutuel
3 33 racetrack operations, the first receipts of the
3 34 gambling games operated within the racetrack enclosure
3 35 less reasonable operating expenses, taxes, and fees
3 36 allowed under this chapter shall be first used to pay
3 37 the annual indebtedness. The commission shall
3 38 authorize, subject to ~~the debt payments for horse~~
~~3 39 racetracks and the provisions of paragraph "b" for dog~~
~~3 40 racetracks, and the debt payment provisions of this~~
~~3 41 paragraph and the provisions of paragraph "c" for~~
~~3 42 horse racetracks,~~ a licensee who is also licensed to
3 43 conduct pari-mutuel dog or horse racing to use
3 44 receipts from gambling games within the racetrack
3 45 enclosure to supplement purses for races particularly
3 46 for Iowa-bred horses pursuant to an agreement which
3 47 shall be negotiated between the licensee and
3 48 representatives of the dog or horse owners. ~~For~~
~~3 49 agreements subject to commission approval concerning~~
~~3 50 purses for horse racing beginning on or after January~~
~~4 1 1, 2006, and ending before January 1, 2021, the~~
~~4 2 agreements shall provide that total annual purses for~~
~~4 3 all horse racing shall be no less than eleven percent~~
~~4 4 of the first two hundred million dollars of net~~
~~4 5 receipts, and six percent of net receipts above two~~

~~4 6 hundred million dollars. Agreements that are subject
4 7 to commission approval concerning horse purses for a
4 8 particular period of time beginning on or after
4 9 January 1, 2006, and ending before January 1, 2021,
4 10 shall be jointly submitted to the commission for
4 11 approval. A qualified sponsoring organization shall
4 12 not make a contribution to a candidate, political
4 13 committee, candidate's committee, state statutory
4 14 political committee, county statutory political
4 15 committee, national political party, or fund-raising
4 16 event as these terms are defined in section 68A.102.
4 17 The membership of the board of directors of a
4 18 qualified sponsoring organization shall represent a
4 19 broad interest of the communities. For purposes of
4 20 this paragraph, "net receipts" means the annual
4 21 adjusted gross receipts from all gambling games less
4 22 the annual amount of money pledged by the owner of the
4 23 facility to fund a project approved to receive vision
4 24 Iowa funds as of July 1, 2004.~~

4 25 Sec. ____ Section 99F.6, subsection 4, Code
4 26 Supplement 2007, is amended by adding the following
4 27 new paragraph:

4 28 NEW PARAGRAPH. c. (1) The commission shall
4 29 authorize the licensee of a pari-mutuel horse
4 30 racetrack located in Polk county to conduct gambling
4 31 games as provided in section 99F.4A if the licensee
4 32 schedules, during a calendar year, seven hundred
4 33 eleven live racing performances for thoroughbred
4 34 horses and one hundred eighty live racing performances
4 35 for quarter horses. Live racing performances do not
4 36 include quarter horse trials for stake races. The
4 37 number of performances required by this subparagraph
4 38 for a particular horse breed may be modified by
4 39 written agreement between the pari-mutuel horse
4 40 racetrack and representatives of the affected horse
4 41 breed. However, the number of live races shall be
4 42 subject to availability of horses and competitive
4 43 field sizes and a live race shall not be conducted if
4 44 there are fewer than five betting interests for that
4 45 race at the time entries are closed.

4 46 (2) For agreements subject to commission approval
4 47 concerning purses for horse racing beginning on or
4 48 after January 1, 2006, the agreements shall provide
4 49 that total annual purses for all horse racing shall be
4 50 eleven percent of net receipts. Agreements that are
5 1 subject to commission approval concerning horse purses
5 2 for a particular period of time beginning on or after
5 3 January 1, 2006, shall be jointly submitted to the
5 4 commission for approval. For purposes of this
5 5 subparagraph, "net receipts" means the annual adjusted
5 6 gross receipts from all gambling games less the annual
5 7 amount of money pledged by the owner of the facility
5 8 to fund a project approved to receive vision Iowa
5 9 funds as of July 1, 2004.

5 10 (3) (a) For agreements concerning horse racing
5 11 between the licensee operating the horse racetrack in
5 12 Polk county and representatives of standardbred horse
5 13 owners beginning on or after January 1, 2008, and
5 14 ending before January 1, 2011, the agreements shall
5 15 include a supplemental amount for standardbred horse
5 16 races held at county fair racetracks in the state in
5 17 the amount of one million dollars. The supplemental
5 18 amount shall be distributed to a nonprofit entity
5 19 established by the representatives of standardbred
5 20 horse owners.

5 21 (b) Beginning January 1, 2011, the licensee
5 22 operating the horse racetrack in Polk county shall not
5 23 be required to include a supplemental amount for
5 24 standardbred horse races held at county fair
5 25 racetracks in the state. Instead, money shall be
5 26 allocated for this purpose from money received for
5 27 standardbred horse races pursuant to section 99F.11,
5 28 subsection 3, paragraph "ee", subparagraph (1).

5 29 (c) The supplemental amount provided in this
5 30 subparagraph (3) shall not be included in determining
5 31 the total annual purses for all horse racing that is
5 32 required to be paid as provided by this paragraph "c".

5 33 Sec. ____ Section 99F.11, subsection 3, Code
5 34 Supplement 2007, is amended by adding the following
5 35 new paragraph:

5 36 NEW PARAGRAPH. ee. Two-tenths of one percent of

5 37 the adjusted gross receipts shall be allocated each
5 38 fiscal year as follows:
5 39 (1) One million dollars shall be appropriated to a
5 40 nonprofit entity established by the representatives of
5 41 standardbred horse owners for purposes of standardbred
5 42 horse races held at county fair racetracks.
5 43 (2) The moneys remaining after the appropriation
5 44 in subparagraph (1) is appropriated to the treasurer
5 45 of state for allocation as state aid to eligible fairs
5 46 as provided in chapter 174.>
5 47 #2. Page 1, line 1, by inserting after the word
5 48 <Code> the following: <Supplement>.
5 49 #3. Page 1, lines 3 and 4, by striking the words
5 50 <on an excursion gambling boat or at a racetrack
6 1 enclosure> and inserting the following: <on an
6 2 excursion gambling boat>.
6 3 #4. Page 1, lines 12 and 13, by striking the words
6 4 <on an excursion gambling boat or at a racetrack
6 5 enclosure> and inserting the following: <on an
6 6 excursion gambling boat>.
6 7 #5. Page 1, lines 27 and 28, by striking the words
6 8 <on an excursion gambling boat are or at a racetrack
6 9 enclosure> and inserting the following: <an excursion
6 10 gambling boat are>.
6 11 #6. Page 1, lines 32 and 33, by striking the words
6 12 <on an excursion gambling boats boat or at a racetrack
6 13 enclosure> and inserting the following: <on excursion
6 14 gambling boats>.
6 15 #7. Page 3, line 8, by inserting after the word
6 16 <approved> the following: <or defeated>.
6 17 #8. Page 3, line 9, by inserting after the words
6 18 <favor of> and inserting the following: <or against>.
6 19 #9. Page 3, by striking lines 14 through 17 and
6 20 inserting the following:
6 21 <Sec. ____ EFFECTIVE DATES == RETROACTIVE
6 22 APPLICABILITY.
6 23 1. The sections of this Act amending section
6 24 99F.6, subsection 4, being deemed of immediate
6 25 importance, take effect upon enactment and are
6 26 retroactively applicable to January 1, 2008, and are
6 27 applicable on and after that date.
6 28 2. The section of this Act amending section 99F.7,
6 29 subsection 11, being deemed of immediate importance,
6 30 takes effect upon enactment and is retroactively
6 31 applicable to elections occurring on and after January
6 32 1, 1994.>
6 33 #10. Title page, by striking lines 1 and 2 and
6 34 inserting the following: <An Act concerning gambling
6 35 and horse racing, by providing for pari-mutuel
6 36 wagering, minimum racing days and horse racing
6 37 agreements among representatives of horse breeds,
6 38 allocation of wagering tax receipts for county fairs
6 39 and horse races, and county gambling elections,
6 40 including effective date and retroactive applicability
6 41 provisions.>
6 42 #11. By renumbering as necessary.
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6 45
6 46 COMMITTEE ON STATE GOVERNMENT
6 47 MASCHER of Johnson, Chairperson
6 48 SF 348.711 82
6 49 ec/nh/11107