

LEGISLATIVE BILL 365

Approved by the Governor March 30, 1983

Introduced by Hefner, 19; Von Minden, 17; R. Johnson, 34

AN ACT to amend section 2-1207, Revised Statutes Supplement, 1982, relating to horse racing; to change provisions relating to deductions from wagers; to provide for the use of such deductions; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-1207, Revised Statutes Supplement, 1982, be amended to read as follows:

2-1207. (1) Within the enclosure of any race track where is held a race or race meeting licensed and conducted under sections 2-1201 to 2-1218, but not elsewhere, the ~~pari-mutuel~~ parimutuel or certificate method or system of wagering on the results of the respective races may be used and conducted by the licensee in connection therewith. Under such system the licensee may receive wagers of money from any person present at such race on any horse in a race selected by such person to run first in such race, and the person so wagering shall acquire an interest in the total money so wagered on all horses in such race as first winners in proportion to the amount of money wagered by him or her. Such licensee shall issue to each person so wagering a certificate on which shall be shown the number of the race, the amount wagered, and the number or name of the horse selected by such person as first winner. As each race is run the licensee may deduct from the total sum wagered on all horses as first winners, respectively, (a) at race meets which conduct races more than three days per week excluding holidays, fifteen per cent of the total, plus the odd cents of the redistribution over the next lower multiple of ten, or (b) at race meets which conduct races not more than three days per week excluding holidays, not less than fifteen nor more than eighteen per cent of the total, plus the odd cents of the redistribution over the next lower multiple of ten, and the balance remaining on hand shall be paid out to the holders of certificates on the winning horse in the

proportion that the amount wagered by each certificate holder bears to the total amount wagered on all horses in such race to run first. The licensee may likewise receive such wagers on horses selected to run second, third, or both, or in such combinations as the commission may authorize, the method, procedure and the authority and right of the licensee, as well as the deduction allowed to the licensee, to be as specified with respect to wagers upon horses selected to run first.

(2) At race meets held pursuant to subdivision (a) of subsection (1) of this section, the licensee shall, in addition to the amount deducted under such subdivision, deduct from the total sum wagered, except for wagers on horses selected to run first, second, or third, one per cent of the total, to be used to promote agriculture and horse breeding in Nebraska and for the support and preservation of horse racing pursuant to section 2 of this act. At race meets held pursuant to subdivision (b) of subsection (1) of this section, the licensee may out of or in addition to the amount deducted under such subdivision deduct from the total sum wagered, except for wagers on horses selected to run first, second, or third, one per cent of the total, to be used to promote agriculture and horse breeding in Nebraska and for the support and preservation of horse racing pursuant to section 2 of this act.

(3) No minor shall be permitted to make any pari-mutuel parimutuel wager, and there shall be no wagering except under the pari-mutuel parimutuel method outlined in this section. Any person, association, or corporation who knowingly permits a minor to make a pari-mutuel parimutuel wager shall be guilty of a Class IV misdemeanor.

Sec. 2. The amount deducted from wagers pursuant to subsection (2) of section 2-1207 shall be distributed as purse supplements and breeder and stallion awards for Nebraska-bred horses, as defined and registered pursuant to section 2-1213, at the race track where the funds were generated. Any costs incurred by the State Racing Commission pursuant to subsection (2) of section 2-1207 and this section shall be separately accounted for and be deducted from such funds.

Sec. 3. That original section 2-1207, Revised Statutes Supplement, 1982, is repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.