

AMENDMENTS TO LB 1102

Introduced by Judiciary.

1           1. Insert the following new sections:

2           Sec. 2. (1) For purposes of licensure and regulation  
3 pursuant to subdivision (7) of section 2-1203.01, historic  
4 horserace means a form of horserace that creates a parimutuel pool  
5 from wagers placed on a horserace previously held at a licensed  
6 racetrack.

7           (2) The State Racing Commission shall not issue a  
8 license for parimutuel wagering on historic horseraces pursuant  
9 to subdivision (7) of section 2-1203.01 unless the county board  
10 of the county in which such licensed facility is located has by  
11 resolution approved the adoption of wagering on historic horseraces  
12 within the county.

13           (3) The commission may adopt and promulgate rules and  
14 regulations to implement subdivision (7) of section 2-1203.01.

15           (4) As part of the regulation under subdivision (7)  
16 of section 2-1203.01, the commission shall require enough of the  
17 historic horserace to be televised so as to maintain the integrity  
18 of such horserace before another wager may take place or before  
19 beginning another historic horserace.

20           (5) As part of the regulation under subdivision (7) of  
21 section 2-1203.01, the commission shall impose an initial, one-time  
22 licensing fee of one thousand dollars for each machine used for  
23 parimutuel wagering on historic horseraces. The commission shall

1 remit the fees to the State Treasurer for credit to the Historic  
2 Horseracing Distribution Fund.

3           Sec. 3. (1) In addition to any other tax imposed under  
4 sections 2-1201 to 2-1229 on a licensed racetrack enclosure and  
5 in lieu of any other tax otherwise applicable to parimutuel  
6 wagering, there is hereby imposed a tax on the gross sum wagered  
7 by the parimutuel method at each licensed racetrack enclosure  
8 on historic horseraces at a rate of one percent of the first  
9 one hundred million dollars collected from all machines at the  
10 licensed racetrack enclosure, one and one-half percent of the  
11 second one hundred million dollars collected from all machines at  
12 the licensed racetrack enclosure, and two percent on all money  
13 collected thereafter.

14           (2) A return as required by the Tax Commissioner shall  
15 be filed for a racetrack enclosure for each month during which  
16 wagers on historic horseraces are accepted at the enclosure. The  
17 return shall be filed with and the tax due pursuant to this section  
18 shall be paid to the Department of Revenue on the tenth day of  
19 the month following receipt of the tax. The Tax Commissioner shall  
20 remit all revenue collected or received from the tax imposed under  
21 this section to the State Treasurer for credit to the Historic  
22 Horseracing Distribution Fund.

23           Sec. 4. (1) The Historic Horseracing Distribution Fund  
24 is hereby created in the Department of Revenue. All costs for  
25 administration of the fund shall be paid from such fund.

26           (2) All receipts in the Historic Horseracing Distribution  
27 Fund in excess of the amounts sufficient to cover the costs of

1 administration shall be distributed as follows:

2 (a) Five percent of all receipts less costs of  
3 administration shall be credited to the State Racing Commission  
4 Cash Fund to be distributed by the State Racing Commission for  
5 community betterment grants for areas within one mile of the  
6 location of a licensed racetrack; and

7 (b) The remainder of all receipts shall be credited:

8 (i) One-third to the Probation Program Cash Fund to be  
9 used by the Community Corrections Council for reentry programming;

10 (ii) One-third to the Violence Prevention Cash Fund to be  
11 used by the Office of Violence Prevention for a grant process for  
12 violence prevention programming; and

13 (iii) One-third to the Compulsive Gamblers Assistance  
14 Fund.

15 (3) Any money in the Historic Horseracing Distribution  
16 Fund available for investment shall be invested by the state  
17 investment officer pursuant to the Nebraska Capital Expansion Act  
18 and the Nebraska State Funds Investment Act.

19 2. On page 3, line 2, after "horseraces" insert "as  
20 defined in section 3 of this act within a licensed racetrack  
21 enclosure"; and in line 21 after "horseraces" insert "as defined in  
22 section 3 of this act".

23 3. Renumber the remaining sections accordingly.