

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 299

Introduced by Karpisek, 32.

Read first time January 12, 2011

Committee: General Affairs

A BILL

1 FOR AN ACT relating to horseracing; to amend sections 2-1205, 2-1226,
2 and 2-1228, Reissue Revised Statutes of Nebraska; to
3 authorize contracts for live race meetings as prescribed;
4 to change requirements for a license to conduct
5 horseracing or to simulcast horseracing; and to repeal
6 the original sections.

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

1 Section 1. Section 2-1205, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-1205 If the commission is satisfied that its rules and
4 regulations and all provisions of sections 2-1201 to 2-1218 have been
5 and will be complied with, it may issue a license for a period of not
6 more than one year. The license shall set forth the name of the
7 licensee, the place where the races or race meetings are to be held,
8 and the time and number of days during which racing may be conducted
9 by such licensee. Any such license issued shall not be transferable
10 or assignable. The commission shall have the power to revoke any
11 license issued at any time for good cause upon reasonable notice and
12 hearing. No license shall be granted to any corporation or
13 association except upon the express condition that it shall not, by
14 any lease, contract, understanding, or arrangement of whatever kind
15 or nature, grant, assign, or turn over to any person, corporation, or
16 association the operation or management of any racing or race meeting
17 licensed under such sections or of the parimutuel system of wagering
18 described in section 2-1207 or in any manner permit any person,
19 corporation, or association other than the licensee to have any
20 share, percentage, or proportion of the money received for admissions
21 to the racing or race meeting or from the operation of the parimutuel
22 system; and any violation of such conditions shall authorize and
23 require the commission immediately to revoke such license.
24 Notwithstanding the provisions of this section to the contrary, an
25 existing racetrack licensee may contract with another licensee under

1 sections 2-1201 to 2-1218 to conduct a live race meeting on its
2 behalf.

3 Sec. 2. Section 2-1226, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-1226 Any racetrack issued a license under sections
6 2-1201 to 2-1223 which operates at least one live race meet during
7 each calendar year except as provided in section 2-1228 or contracts
8 for a live race meet as authorized under section 2-1205 may apply to
9 the commission for a simulcast facility license. An application for
10 such license shall be in such form as may be prescribed by the
11 commission and shall contain such information, material, or evidence
12 as the commission may require. Any racetrack issued a simulcast
13 facility license may display the simulcast of a horserace on which
14 parimutuel wagering shall be allowed.

15 Sec. 3. Section 2-1228, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 2-1228 (1) Any racetrack issued a license under sections
18 2-1201 to 2-1223 ~~(1)~~ (a) conducting primarily quarterhorse races in
19 the year immediately preceding the year for which application is
20 made, regardless of the total number of days of live racing conducted
21 in such year, ~~or (2)~~ (b) conducting primarily thoroughbred horseraces
22 in the year immediately preceding the year for which application is
23 made which conducted live racing on at least seventy percent of the
24 days for which it was authorized to conduct live racing in 1988
25 unless the commission determines that such racetrack licensee was

1 unable to conduct live racing on the required number of days due to
2 factors beyond its control, including, but not limited to, fire,
3 earthquake, tornado, or other natural disaster, or (c) contracting
4 for a live race meet as authorized under section 2-1205, may apply to
5 the commission for an interstate simulcast facility license. An
6 application for such license shall be in a form prescribed by the
7 commission and shall contain such information, material, or evidence
8 as the commission may require. Any racetrack licensee issued an
9 interstate simulcast facility license may conduct the interstate
10 simulcast of any horserace permitted under its license, and
11 parimutuel wagering shall be allowed on such horserace. The
12 commission shall not authorize interstate simulcasting for any
13 racetrack licensee pursuant to sections 2-1201 to 2-1223 unless all
14 of the thoroughbred racetracks together applied for and received
15 authority to conduct at least one hundred eighty live racing days in
16 the calendar year in which the application is made.

17 (2) If any racetrack licensee, other than a racetrack
18 licensee contracting for a live race meet as authorized under section
19 2-1205, conducts live racing for less than seventy percent of the
20 days assigned such racetrack licensee in 1988, (a) such racetrack
21 licensee shall be precluded from conducting interstate simulcasts and
22 (b) the number of live racing days conducted by such racetrack
23 licensee shall be subtracted from an amount equal to seventy percent
24 of all the days assigned such racetrack licensee in 1988 and the
25 amount remaining shall be deducted from the one-hundred-eighty-day

1 total required by this section. If any racetrack licensee ceases to
2 conduct live racing, other than a racetrack licensee contracting for
3 a live race meet as authorized under section 2-1205, seventy percent
4 of the days assigned such racetrack licensee in 1988 shall be
5 deducted from the one-hundred-eighty-day total required by this
6 section.

7 Sec. 4. Original sections 2-1205, 2-1226, and 2-1228,
8 Reissue Revised Statutes of Nebraska, are repealed.