

REFERENCE TITLE: multitrack simulcasting; pari-mutuel wagering

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

# SB 1551

Introduced by  
Senators Soltero, Bee: Arzberger, Blendu, Garcia

AN ACT

AMENDING SECTION 5-101, ARIZONA REVISED STATUTES; AMENDING TITLE 5, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 5-116; RELATING TO HORSE RACING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 5-101, Arizona Revised Statutes, is amended to  
3 read:

4 5-101. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Additional wagering facility" means a facility which is not the  
7 enclosure in which authorized racing takes place but which meets the  
8 requirements of section 5-111, subsection A and is used by a permittee for  
9 handling pari-mutuel wagering.

10 2. "Applicant" means a person, partnership, association or corporation  
11 placing before the department an application for a permit or license.

12 3. "Association" means a body of persons, corporations, partnerships  
13 or associations, united and acting together without a charter from the state  
14 for the prosecution of some common enterprise.

15 4. "Commercial horse racing" means horse racing conducted other than  
16 by a county fair association.

17 5. "Commission" means the Arizona racing commission.

18 6. "Concessionaire" means a person, partnership, association or  
19 corporation that offers goods or services for sale to the public, a permittee  
20 or a licensee at an enclosure in which authorized racing takes place or an  
21 additional wagering facility.

22 7. "County fair facility" means any place, enclosure or track  
23 constructed in accordance with a permit issued by the commission for the  
24 purpose of running county fair horse racing dates as well as any commercial  
25 dates for horse racing that may be awarded by the commission in reference to  
26 such a location.

27 8. "County fair racing association" means an association duly  
28 authorized by the board of supervisors to conduct a county fair racing  
29 meeting for the benefit of the county.

30 9. "Dark day simulcast" means a simulcast received on a day when there  
31 are no posted races conducted at the enclosure in which authorized racing  
32 takes place.

33 10. "Department" means the Arizona department of racing.

34 11. "Desensitized" means that a horse's or dog's legs upon arrival at  
35 the receiving barn, saddling paddock or lockout kennel do not respond  
36 appropriately to tests for feeling administered by an official veterinarian.

37 12. "Director" means the director of the Arizona department of racing.

38 13. "Dog racing" means racing in which greyhound dogs chase a  
39 mechanical lure.

40 14. "Entered" means that a horse or dog has been registered with an  
41 authorized racing official as a participant in a specified race and has not  
42 been withdrawn prior to presentation of the horse or dog for inspection and  
43 testing as provided in section 5-105.

44 15. "Financial interest" means any direct pecuniary interest.

45 16. "Firm" means a business unit or enterprise that transacts business.

1 17. "GUEST PERMITTEE" MEANS A PERMITTEE THAT RECEIVES SIMULCASTS OF  
2 LIVE RACES CONDUCTED AT ANOTHER RACING FACILITY.

3 ~~17.~~ 18. "Handle" means the total amount of money contributed to all  
4 pari-mutuel pools by bettors.

5 ~~18.~~ 19. "Harness racing" means horse racing in which the horses are  
6 harnessed to a sulky, carriage or similar vehicle and driven by a driver.

7 ~~19.~~ 20. "Horse racing" means racing in which horses are mounted and  
8 ridden by jockeys. For purposes of county fair racing meetings, "horse  
9 racing" means racing in which horses or mules are mounted and ridden by  
10 jockeys.

11 21. "HOST PERMITTEE" MEANS A PERMITTEE THAT TRANSMITS SIMULCASTS OF  
12 LIVE RACES CONDUCTED AT THAT PERMITTEE'S RACING FACILITY.

13 ~~20.~~ 22. "License" means the license issued by the department to each  
14 employee or other person participating in any capacity in a racing meeting,  
15 including officials and employees of the pari-mutuel department.

16 ~~21.~~ 23. "Pari-mutuel wagering" means a system of betting which  
17 provides for the distribution among the winning patrons of at least the total  
18 amount wagered less the amount withheld under state law.

19 ~~22.~~ 24. "Permit" means a permit for a racing meeting issued under ~~the~~  
20 ~~provisions of~~ this article.

21 ~~23.~~ 25. "Racing meeting" means a number of days of racing allotted by  
22 the commission in one permit.

23 ~~24.~~ 26. "Simulcast" means the telecast shown within this state of live  
24 audio and visual signals of horse, harness or dog races conducted at an  
25 out-of-state track or the telecast shown outside this state of live audio and  
26 visual signals of horse, harness or dog races originating within this state  
27 for the purpose of pari-mutuel wagering.

28 ~~25.~~ 27. "Undesirable" includes known bookmakers, touts, persons  
29 convicted of a violation of any provision of this article or of any law  
30 prohibiting bookmaking or any other illegal forms of wagering, or any other  
31 person whose presence would, in the opinion of the director, be inimical to  
32 the interests of the state.

33 ~~26.~~ 28. "Week" means seven consecutive days beginning on Monday and  
34 ending on Sunday, mountain standard time.

35 Sec. 2. Title 5, chapter 1, article 1, Arizona Revised Statutes, is  
36 amended by adding section 5-116, to read:

37 5-116. Multitrack simulcasting

38 NOTWITHSTANDING ANY OTHER SECTION IN THIS ARTICLE:

39 1. IF A HORSE RACING HOST PERMITTEE ALLOWS SIMULCASTING OF THE HOST  
40 PERMITTEE'S RACES OUTSIDE THIS STATE, THAT HOST PERMITTEE SHALL MAKE ALL THE  
41 ELECTRONIC TELETRACK SIGNALS TRANSMITTED BY THE HOST PERMITTEE AND ANY  
42 ELECTRONIC SIMULCAST SIGNALS THAT THE HOST PERMITTEE RECEIVES FROM OUTSIDE  
43 THIS STATE AND THAT ARE TRANSMITTED TO ANY OF THE HOST PERMITTEE'S ADDITIONAL  
44 WAGERING FACILITIES AVAILABLE TO ANY GUEST PERMITTEE THAT OPERATES A RACING  
45 FACILITY IN ANOTHER COUNTY AT WHICH FACILITY LIVE RACING HAS BEEN CONDUCTED

1 FOR NOT LESS THAN FIFTY DAYS PER YEAR FOR AT LEAST TEN CONSECUTIVE YEARS  
2 BEGINNING AFTER 1996. IF THE GUEST PERMITTEE HAS ONE OR MORE ADDITIONAL  
3 WAGERING FACILITIES FOR WAGERING ON ELECTRONIC SIGNALS, THAT GUEST PERMITTEE  
4 SHALL ARRANGE FOR WAGERING ON THE SIGNALS THAT ORIGINATE AT THE HOST  
5 PERMITTEE AND MAY ARRANGE FOR WAGERING ON THE SIGNALS RECEIVED BY THE HOST  
6 PERMITTEE OUTSIDE THIS STATE. FOR ARRANGING THE WAGERING ON ANY OF THESE  
7 SIGNALS, THE GUEST PERMITTEE SHALL BE PAID A FEE OF NOT LESS THAN EIGHT PER  
8 CENT OF THE GROSS AMOUNT OF HANDLE RECEIVED BY THE GUEST PERMITTEE, UNDER  
9 TERMS AND CONDITIONS OTHERWISE IDENTICAL TO THOSE IN THE MOST RECENT  
10 TELETRACK WAGERING FACILITY AGREEMENT BETWEEN THAT HOST PERMITTEE AND GUEST  
11 PERMITTEE THAT WAS FILED WITH THE DEPARTMENT. IF THERE HAS NEVER BEEN A  
12 TELETRACK WAGERING FACILITY AGREEMENT BETWEEN THAT HOST PERMITTEE AND THAT  
13 GUEST PERMITTEE, THE TERMS AND CONDITIONS OF THE AGREEMENT SHALL BE AS CLOSE  
14 AS POSSIBLE TO THE MOST RECENT TELETRACK WAGERING FACILITY AGREEMENT THAT IS  
15 ON FILE WITH THE DEPARTMENT.

16 2. RACES THAT ARE CONDUCTED LIVE IN THIS STATE AND ON WHICH WAGERING  
17 HAS OCCURRED IN ANOTHER COUNTY PURSUANT TO THIS SECTION ARE DEEMED TO OCCUR  
18 IN THE COUNTY IN WHICH THE RACES ORIGINATED. PARI-MUTUEL POOLS FROM WAGERING  
19 ON SUCH RACES SHALL BE DISTRIBUTED IN ACCORDANCE WITH SECTION 5-111,  
20 SUBSECTIONS C AND D.

21 3. A GUEST PERMITTEE MAY ONLY ACCEPT WAGERS ON SIGNALS THAT THE GUEST  
22 PERMITTEE RECEIVES PURSUANT TO THIS SECTION IN THE COUNTY IN WHICH THE GUEST  
23 PERMITTEE OPERATES A LIVE RACING FACILITY.