

2 **ESHB 1571** - S COMM AMD  
3 By Committee on Labor, Commerce & Financial Institutions

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 67.16.200 and 2000 c 223 s 1 are each amended to read  
8 as follows:

9 (1) A racing association licensed by the commission to conduct a  
10 race meet may seek approval from the commission to conduct parimutuel  
11 wagering on its program at a satellite location or locations within the  
12 state of Washington. The sale of parimutuel pools at satellite  
13 locations shall be conducted only during the licensee's race meet and  
14 simultaneous to all parimutuel wagering activity conducted at the  
15 licensee's live racing facility in the state of Washington. The  
16 commission's authority to approve satellite wagering at a particular  
17 location is subject to the following limitations:

18 (a) The commission may approve only one satellite location in each  
19 county in the state; however, the commission may grant approval for  
20 more than one licensee to conduct wagering at each satellite location.  
21 A satellite location shall not be operated within twenty driving miles  
22 of any class 1 racing facility. For the purposes of this section,  
23 "driving miles" means miles measured by the most direct route as  
24 determined by the commission; and

25 (b) A licensee shall not conduct satellite wagering at any  
26 satellite location within sixty driving miles of any other racing  
27 facility conducting a live race meet.

28 (2) Subject to local zoning and other land use ordinances, the  
29 commission shall be the sole judge of whether approval to conduct  
30 wagering at a satellite location shall be granted.

31 (3) The licensee shall combine the parimutuel pools of the  
32 satellite location with those of the racing facility for the purpose of  
33 determining odds and computing payoffs. The amount wagered at the  
34 satellite location shall be combined with the amount wagered at the  
35 racing facility for the application of take out formulas and  
36 distribution as provided in RCW 67.16.102, 67.16.105, 67.16.170, and

1    67.16.175. A satellite extension of the licensee's racing facility  
2 shall be subject to the same application of the rules of racing as the  
3 licensee's racing facility.

4        (4) Upon written application to the commission, a class 1 racing  
5 association may be authorized to transmit simulcasts of live horse  
6 races conducted at its racetrack to locations outside of the state of  
7 Washington approved by the commission and in accordance with the  
8 interstate horse racing act of 1978 (15 U.S.C. Sec. 3001 to 3007) or  
9 any other applicable laws. The commission may permit parimutuel pools  
10 on the simulcast races to be combined in a common pool. A racing  
11 association that transmits simulcasts of its races to locations outside  
12 this state shall pay at least fifty percent of the fee that it receives  
13 for sale of the simulcast signal to the horsemen's purse account for  
14 its live races after first deducting the actual cost of sending the  
15 signal out of state.

16        (5) Upon written application to the commission, a class 1 racing  
17 association may be authorized to transmit simulcasts of live horse  
18 races conducted at its racetrack to licensed racing associations  
19 located within the state of Washington and approved by the commission  
20 for the receipt of the simulcasts. The commission shall permit  
21 parimutuel pools on the simulcast races to be combined in a common  
22 pool. The fee for in-state, track-to-track simulcasts shall be five  
23 and one-half percent of the gross parimutuel receipts generated at the  
24 receiving location and payable to the sending racing association. A  
25 racing association that transmits simulcasts of its races to other  
26 licensed racing associations shall pay at least fifty percent of the  
27 fee that it receives for the simulcast signal to the horsemen's purse  
28 account for its live race meet after first deducting the actual cost of  
29 sending the simulcast signal. A racing association that receives races  
30 simulcast from class 1 racing associations within the state shall pay  
31 at least fifty percent of its share of the parimutuel receipts to the  
32 horsemen's purse account for its live race meet after first deducting  
33 the purchase price and the actual direct costs of importing the race.

34        (6) A class 1 racing association may be allowed to import  
35 simulcasts of horse races from out-of-state racing facilities. With the  
36 prior approval of the commission, the class 1 racing association may  
37 participate in an interstate common pool and may change its commission  
38 and breakage rates to achieve a common rate with other participants in  
39 the common pool.

1       (a) The class 1 racing association shall make written application  
2 with the commission for permission to import simulcast horse races for  
3 the purpose of parimutuel wagering. Subject to the terms of this  
4 section, the commission is the sole authority in determining whether to  
5 grant approval for an imported simulcast race.

6       (b) ~~((During the conduct of its race meeting, a class 1 racing  
7 association may be allowed to import no more than one simulcast race  
8 card program during each live race day.))~~ A licensed racing  
9 association may also be approved to import one simulcast race of  
10 regional or national interest on each live race day. ~~((A class 1  
11 racing association may be permitted to import two simulcast programs on  
12 two nonlive race days per each week during its live meet. A licensee  
13 shall not operate parimutuel wagering on more than five days per week.  
14 Parimutuel wagering on imported simulcast programs shall only be  
15 conducted at the live racing facility of a class 1 racing  
16 association.))~~

17       (c) The commission may allow simulcast races of regional or  
18 national interest to be sent to satellite locations. The simulcasts  
19 shall be limited to one per day except for Breeder's Cup special events  
20 day.

21       (d) When open for parimutuel wagering, a class 1 racing association  
22 which imports simulcast races shall also conduct simulcast parimutuel  
23 wagering within its licensed racing enclosure on all races simulcast  
24 from other class 1 racing associations within the state of Washington.

25       (e) ~~((When not conducting a live race meeting, a class 1 racing  
26 association may be approved to conduct simulcast parimutuel wagering on  
27 imported simulcast races.))~~ The conduct of ~~((simulcast))~~ parimutuel  
28 wagering on ~~((the))~~ imported simulcast races shall be for not more than  
29 fourteen hours during any twenty-four hour period, for not more than  
30 five days per week and only at ~~((its))~~ the live racing facility of a  
class 1 racing association.

32       (f) On any imported simulcast race, the class 1 racing association  
33 shall pay fifty percent of its share of the parimutuel receipts to the  
34 horsemen's purse account for its live race meet after first deducting  
35 the purchase price of the imported race and the actual costs of  
36 importing the race.

37       (7) For purposes of this section, a class 1 racing association is  
38 defined as a licensee approved by the commission to conduct during each  
39 twelve-month period at least forty days of live racing. If a live race

1 day is canceled due to reasons directly attributable to acts of God,  
2 labor disruptions affecting live race days but not directly involving  
3 the licensee or its employees, or other circumstances that the  
4 commission decides are beyond the control of the class 1 racing  
5 association, then the canceled day counts toward the forty-day  
6 requirement. The commission may by rule increase the number of live  
7 racing days required to maintain class 1 racing association status or  
8 make other rules necessary to implement this section.

9 (8) This section does not establish a new form of gaming in  
10 Washington or allow expanded gaming within the state beyond what has  
11 been previously authorized. Simulcast wagering has been allowed in  
12 Washington before April 19, 1997. Therefore, this section does not  
13 allow gaming of any nature or scope that was prohibited before April  
14 19, 1997. This section is necessary to protect the Washington equine  
15 breeding and racing industries, and in particular those sectors of  
16 these industries that are dependent upon live horse racing. The  
17 purpose of this section is to protect these industries from adverse  
18 economic impacts and to promote fan attendance at class 1 racing  
19 facilities. Therefore, imported simulcast race card programs shall not  
20 be disseminated to any location outside the live racing facility of the  
21 class 1 racing association and a class 1 racing association is strictly  
22 prohibited from simulcasting imported race card programs to any  
23 location outside its live racing facility."

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27 In line 3 of the title, after "facilities;" strike the remainder of  
28 the title and insert "and amending RCW 67.16.200."

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