

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1442

63rd Legislature
2013 Regular Session

Passed by the House January 1, 0001
Yeas 0 Nays 0

Speaker of the House of Representatives

Passed by the Senate January 1, 0001
Yeas 0 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1442** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1442

Passed Legislature - 2013 Regular Session

State of Washington **63rd Legislature** **2013 Regular Session**

By Representatives Schmick, Cody, Hunt, Condotta, Blake, and Sullivan

Read first time 01/28/13. Referred to Committee on Government
Accountability & Oversight.

1 AN ACT Relating to providing increased access to parimutuel
2 satellite locations in counties with a population exceeding one
3 million; and amending RCW 67.16.200.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 67.16.200 and 2007 c 100 s 1 are each amended to read
6 as follows:

7 (1) A class 1 racing association licensed by the commission to
8 conduct a race meet may seek approval from the commission to conduct
9 parimutuel wagering at a satellite location or locations within the
10 state of Washington. In order to participate in parimutuel wagering at
11 a satellite location or locations within the state of Washington, the
12 holder of a class 1 racing association license must have conducted at
13 least one full live racing season. All class 1 racing associations
14 must hold a live race meet within each succeeding twelve-month period
15 to maintain eligibility to continue to participate in parimutuel
16 wagering at a satellite location or locations. The sale of parimutuel
17 pools at satellite locations shall be conducted simultaneous to all
18 parimutuel wagering activity conducted at the licensee's live racing

1 facility in the state of Washington. The commission's authority to
2 approve satellite wagering at a particular location is subject to the
3 following limitations:

4 (a) The commission may approve only one satellite location in each
5 county in the state; provided however, the commission may approve two
6 satellite locations in counties with a population exceeding one
7 million. The commission may grant approval for more than one licensee
8 to conduct wagering at each satellite location. A satellite location
9 shall not be operated within twenty driving miles of any class 1 racing
10 facility. For the purposes of this section, "driving miles" means
11 miles measured by the most direct route as determined by the
12 commission; and

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

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

19 (3) The licensee shall combine the parimutuel pools of the
20 satellite location with those of the racing facility for the purpose of
21 determining odds and computing payoffs. The amount wagered at the
22 satellite location shall be combined with the amount wagered at the
23 racing facility for the application of take out formulas and
24 distribution as provided in RCW 67.16.102, 67.16.105, 67.16.170, and
25 67.16.175. A satellite extension of the licensee's racing facility
26 shall be subject to the same application of the rules of racing as the
27 licensee's racing facility.

28 (4) Upon written application to the commission, a class 1 racing
29 association may be authorized to transmit simulcasts of live horse
30 races conducted at its racetrack to locations outside of the state of
31 Washington approved by the commission and in accordance with the
32 interstate horse racing act of 1978 (15 U.S.C. Sec. 3001 to 3007) or
33 any other applicable laws. The commission may permit parimutuel pools
34 on the simulcast races to be combined in a common pool. A racing
35 association that transmits simulcasts of its races to locations outside
36 this state shall pay at least fifty percent of the fee that it receives
37 for sale of the simulcast signal to the horsemen's purse account for

1 its live races after first deducting the actual cost of sending the
2 signal out of state.

3 (5) Upon written application to the commission, a class 1 racing
4 association may be authorized to transmit simulcasts of live horse
5 races conducted at its racetrack to licensed racing associations
6 located within the state of Washington and approved by the commission
7 for the receipt of the simulcasts. The commission shall permit
8 parimutuel pools on the simulcast races to be combined in a common
9 pool. The fee for in-state, track-to-track simulcasts shall be five
10 and one-half percent of the gross parimutuel receipts generated at the
11 receiving location and payable to the sending racing association. A
12 racing association that transmits simulcasts of its races to other
13 licensed racing associations shall pay at least fifty percent of the
14 fee that it receives for the simulcast signal to the horsemen's purse
15 account for its live race meet after first deducting the actual cost of
16 sending the simulcast signal. A racing association that receives races
17 simulcast from class 1 racing associations within the state shall pay
18 at least fifty percent of its share of the parimutuel receipts to the
19 horsemen's purse account for its live race meet after first deducting
20 the purchase price and the actual direct costs of importing the race.

21 (6) A class 1 racing association may be allowed to import
22 simulcasts of horse races from out-of-state racing facilities. With
23 the prior approval of the commission, the class 1 racing association
24 may participate in a multijurisdictional common pool and may change its
25 commission and breakage rates to achieve a common rate with other
26 participants in the common pool.

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

32 (b) When open for parimutuel wagering, a class 1 racing association
33 which imports simulcast races shall also conduct simulcast parimutuel
34 wagering within its licensed racing enclosure on all races simulcast
35 from other class 1 racing associations within the state of Washington.

36 (c) On any imported simulcast race, the class 1 racing association
37 shall pay fifty percent of its share of the parimutuel receipts to the

1 horsemen's purse account for its live race meet after first deducting
2 the purchase price of the imported race and the actual costs of
3 importing and offering the race.

4 (7) A licensed nonprofit racing association may be approved to
5 import one simulcast race of regional or national interest on each live
6 race day.

7 (8) For purposes of this section, a class 1 racing association is
8 defined as a licensee approved by the commission to conduct during each
9 twelve-month period at least forty days of live racing. If a live race
10 day is canceled due to reasons directly attributable to acts of God,
11 labor disruptions affecting live race days but not directly involving
12 the licensee or its employees, or other circumstances that the
13 commission decides are beyond the control of the class 1 racing
14 association, then the canceled day counts toward the forty-day
15 requirement. The commission may by rule increase the number of live
16 racing days required to maintain class 1 racing association status or
17 make other rules necessary to implement this section.

18 (9) This section does not establish a new form of gaming in
19 Washington or allow expanded gaming within the state beyond what has
20 been previously authorized. Simulcast wagering has been allowed in
21 Washington before April 19, 1997. Therefore, this section does not
22 allow gaming of any nature or scope that was prohibited before April
23 19, 1997. This section is necessary to protect the Washington equine
24 breeding and racing industries, and in particular those sectors of
25 these industries that are dependent upon live horse racing. The
26 purpose of this section is to protect these industries from adverse
27 economic impacts and to promote fan attendance at class 1 racing
28 facilities. Therefore, a licensed class 1 racing association may be
29 approved to disseminate imported simulcast race card programs to
30 satellite locations approved under this section, provided that the
31 class 1 racing association has conducted at least forty live racing
32 days with an average on-track handle on the live racing product of a
33 minimum of one hundred fifty thousand dollars per day during the twelve
34 months immediately preceding the application date. However, to promote
35 the development of a new class 1 racing association facility and to
36 meet the best interests of the Washington equine breeding and racing
37 industries, the commission may by rule reduce the required minimum

1 average on-track handle on the live racing product from one hundred
2 fifty thousand dollars per day to thirty thousand dollars per day.

3 (10) A licensee conducting simulcasting under this section shall
4 place signs in the licensee's gambling establishment under RCW
5 9.46.071. The informational signs concerning problem and compulsive
6 gambling must include a toll-free telephone number for problem and
7 pathological gamblers and be developed under RCW 9.46.071.

8 (11) Chapter 10, Laws of 2001 1st sp. sess. does not establish a
9 new form of gaming in Washington or allow expanded gaming within the
10 state beyond what has been previously authorized. Simulcast wagering
11 has been allowed in Washington before August 23, 2001. Therefore, this
12 section does not allow gaming of any nature or scope that was
13 prohibited before August 23, 2001. Chapter 10, Laws of 2001 1st sp.
14 sess. is necessary to protect the Washington equine breeding and racing
15 industries, and in particular those sectors of these industries that
16 are dependent upon live horse racing. The purpose of chapter 10, Laws
17 of 2001 1st sp. sess. is to protect these industries from adverse
18 economic impacts and to promote fan attendance at class 1 racing
19 facilities.

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