

HOUSE BILL No. 4260

February 10, 2005, Introduced by Reps. Hune, Gaffney, Stewart, Emmons and Nitz and referred to the Committee on Agriculture.

A bill to amend 1951 PA 90, entitled

"An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act,"

by amending section 2 (MCL 431.252), as amended by 1998 PA 505.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) ~~For the calendar year 1998 and each year~~
2 ~~thereafter, all funds~~ **ALL MONEY** held by any licensee for the
3 payment of outstanding winning tickets **OR VOUCHERS** for any race
4 meeting conducted under the horse racing law of 1995, 1995 PA 279,
5 MCL 431.301 to 431.336, ~~which have~~ **THAT HAS** not been claimed by the
6 owner of ~~those funds~~ **THE MONEY** within 60 days after the close of
7 the race meeting, shall be retained by the licensee and distributed

as follows:

~~—— (a) If the licensee is a standardbred race meeting licensee:~~

(A) ~~(i)~~ Fifty percent of the funds shall be retained by the licensee.

(B) ~~(ii)~~ Fifty percent of the funds shall be deposited into the Michigan agriculture equine fund created in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL 431.320, and designated for standardbred programs described in section 20(5)(a), (c), (e), (h), and (i) of the horse racing law of 1995, 1995 PA 279, MCL 431.320. **DISTRIBUTED TO THE CERTIFIED HORSEMEN'S**

ORGANIZATION WITH WHICH THE LICENSEE HAS A CONTRACT. THE CERTIFIED HORSEMEN'S ORGANIZATION MAY EXPEND THE MONEY RECEIVED UNDER THIS SUBDIVISION ONLY FOR ANY REASONABLE PURPOSE RELATED TO THE MANAGEMENT, PROTECTION, AND PROMOTION OF LIVE HORSE RACING IN THIS STATE, INCLUDING, BUT NOT LIMITED TO, PURSE SUPPLEMENTS, PROMOTION, BENEVOLENCE, OFFICE AND ADMINISTRATIVE EXPENSE, PROFESSIONAL FEES, BACKSIDE WELFARE, EMPLOYEE WELFARE, AND INSURANCE PROGRAMS.

~~—— (b) If the licensee is a thoroughbred race meeting licensee, then 100% of the funds for 1998 shall be earmarked for the development and capital improvement for the purpose of accommodating thoroughbred racing at existing licensed racing facilities that have operated within the 2 years immediately before the effective date of the amendatory act that added this subdivision within a city area or at a facility located outside a city area upon written approval of a certified thoroughbred horsemen's organization and approved by the racing commissioner. As used in this subdivision, "city area" and "horsemen's organization"~~

~~mean those terms as defined in section 2 of the horse racing law of 1995, 1995 PA 279, MCL 431.302. For calendar year 1999 and every year thereafter:~~

~~—— (i) Fifty percent of the funds shall be retained by the licensee.~~

~~—— (ii) Fifty percent of the funds shall be deposited in the Michigan agriculture equine fund established in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL 431.320, and designated for thoroughbred programs described in section 20(6)(a) to (c) of the horse racing law of 1995, 1995 PA 279, MCL 431.320.~~

~~—— (c) If the licensee is a light horse race meeting licensee:~~

~~—— (i) Fifty percent of the funds shall be retained by the licensee.~~

~~—— (ii) Fifty percent of the funds shall be deposited in the Michigan agriculture equine fund established in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL 431.320, and designated for light horse programs described in section 20(7), (8), and (9) of the horse racing law of 1995, 1995 PA 279, MCL 431.320.~~

~~—— (d) Funds for uncashed tickets for calendar year 1998 held by the department of treasury that were remitted by licensees shall be distributed as provided in this section.~~

(2) AS USED IN THIS SECTION:

(A) "CERTIFIED HORSEMEN'S ORGANIZATION" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.302.

(B) "LICENSEE" MEANS A PERSON THAT HOLDS A RACE MEETING

1 LICENSE AS DESCRIBED IN SECTION 8 OF THE HORSE RACING LAW OF 1995,
2 1995 PA 279, MCL 431.308.