

HORSE RACING LAW OF 1995 (EXCERPT)
Act 279 of 1995

431.318 Simulcast; authorization; permit; conditions; wagering; pools; providing equipment and simulcast signals to other licensees; fees; simulcasting other events prohibited; definitions.

Sec. 18. (1) Simulcasting by race meeting licensees may be authorized by the racing commissioner subject to the limitations of this section. Except as specifically provided in section 12, a race meeting licensee shall not conduct simulcast wagering unless the race meeting licensee conducts 30 or more live racing days in that calendar year.

(2) The holder of a race meeting license may apply to the racing commissioner, in the manner and form required by the commissioner, for a permit to televise simulcasts of horse races to viewing areas within the enclosure of the licensed racetrack at which the applicant is licensed to conduct its race meeting. The commissioner may issue a permit for individual race and full card simulcasts televised during, between, before, or after programmed live horse races on any day that live racing is conducted by the applicant, and also on other days during the term of the applicant's license when the applicant does not conduct live horse racing, subject to the following conditions:

(a) The applicant must have a current contract with a certified horsemen's organization.

(b) The applicant must have applied for the minimum number of live racing dates required by section 12(1) or (2), subject to the availability of adequate horse supply as determined by the racing commissioner.

(c) The applicant must make a continuing good faith effort throughout the duration of its race meeting to program and conduct not fewer than 8 live horse races on each live racing date allocated to the applicant.

(d) The certified horsemen's organization with which the applicant has contracted must have consented to the requested simulcasts on any live racing day when the applicant is unable to program and conduct not fewer than 8 live horse races, if required by section 12(3).

(e) If the requested simulcasts are interstate, the applicant must waive in writing any right that the applicant may have under the interstate horse racing act of 1978, 15 USC 3001 to 3007, to restrict interstate simulcasts by other race meeting licensees in this state.

(f) The applicant must make the video and audio signals of its live horse races available for intertrack simulcasting to all licensed race meetings in this state located more than 12 miles from the applicant's race meeting. The applicant must charge each race meeting licensee the same fee to receive its live signals for intertrack simulcasting.

(g) Except as otherwise agreed by the other race meeting licensees and the respective certified horsemen's organizations with which they contract, the applicant must receive all available intertrack simulcasts from licensed race meetings located more than 12 miles from the applicant's race meeting.

(h) The applicant must not conduct interstate simulcasts unless it also receives all intertrack simulcasts from other licensed race meetings that are available.

(i) All authorized simulcasts must be conducted in compliance with the written permit and related orders issued by the racing commissioner and all other requirements and conditions of this act and the rules of the racing commissioner promulgated under this act.

(j) All authorized interstate simulcasts must also comply with the interstate horse racing act of 1978, 15 USC 3001 to 3007.

(3) All forms of wagering by pari-mutuel methods provided for under this act for live racing shall be allowed on simulcast horse races authorized under this section. All money wagered on simulcast horse races at a licensed race meeting must be included in computing the total amount of all money wagered at the licensed race meeting for purposes of section 17. If the simulcast is an interstate simulcast, the money wagered on the simulcast must form a separate pari-mutuel pool at the receiving track unless 2 or more licensees receive the same interstate simulcast signals or the racing commissioner permits the receiving track to combine its interstate simulcast pool with the pool created at the out-of-state sending track on the same race. If 2 or more licensees receive the same interstate simulcast signals, the money wagered on the simulcasts must be combined in a common pool and the licensees shall jointly agree and designate at which race meeting the common pool will be located. However, if the law of the jurisdiction in which the sending racetrack is located permits interstate common pools at the sending racetrack, the racing commissioner may permit pari-mutuel pools on interstate simulcast races in this state to be combined with pari-mutuel pools on the same races created at the out-of-state sending racetrack. If the pari-mutuel pools on the interstate simulcast races in this state are combined in a common pool at the out-of-state sending track, then the commissions described in section 17 on the pool created in this state must be adjusted to equal the commissions in effect at the sending track under the laws of its jurisdiction. If the simulcast is an intertrack simulcast, the money wagered on the

simulcast at the receiving racetrack must be added to the pari-mutuel pool at the sending racetrack.

(4) A race meeting licensee licensed to conduct pari-mutuel horse racing shall provide the necessary equipment to send intertrack simulcasts of the live horse races conducted at its race meeting to all other race meeting licensees in this state, and shall send its intertrack simulcast signals to those licensees upon request for an agreed fee, which shall not exceed 3% of the total amount wagered on the race at the receiving track.

(5) The racing commissioner may authorize a race meeting licensee to transmit simulcasts of live horse races conducted at its racetrack to locations outside of this state in accordance with the interstate horse racing act of 1978, 15 USC 3001 to 3007, or any other applicable laws, and may permit pari-mutuel pools on such simulcast races created under the laws of the jurisdiction in which the receiving track is located to be combined in a common pool with pari-mutuel pools on the same races created in this state. A race meeting licensee that transmits simulcasts of its races to locations outside this state shall pay 50% of the fee that it receives for sending the simulcast signal to the horsemen's purse pool at the sending track after first deducting the actual verified cost of sending the signal out of state.

(6) Unless otherwise approved by the racing commissioner, a race meeting licensee shall not receive and offer wagers on an interstate simulcast unless the interstate simulcast is available to all race meeting licensees in this state at the same rate.

(7) Simulcasting of events other than horse races for purposes of pari-mutuel wagering is prohibited.

(8) As used in this section:

(a) "Interstate simulcast" means a live simulcast from a racetrack outside of this state to a racetrack inside this state.

(b) "Intertrack simulcast" means a live simulcast from 1 racetrack in this state to another racetrack in this state.

(c) "Simulcast" means the live transmission of video and audio signals conveying a horse race held either inside or outside of this state to a licensed race meeting in this state.

History: 1995, Act 279, Imd. Eff. Jan. 9, 1996;—Am. 1998, Act 408, Imd. Eff. Dec. 21, 1998;—Am. 2016, Act 271, Imd. Eff. July 1, 2016.

Administrative rules: R 285.812.1 et seq. of the Michigan Administrative Code.