

LEGISLATIVE BILL 178

Approved by the Governor March 2, 1973

Introduced by Simpson, 46

AN ACT to amend section 2-1213, Reissue Revised Statutes of Nebraska, 1943, relating to horse racing; to require the holding of races limited to Nebraska-bred horses; to define a term; to make certain acts unlawful; to provide penalties; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-1213, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1213. No racing under sections 2-1201 to 2-1218 shall be permitted on Sunday. No license shall be granted for racing on more than one race track in any one county, except that the commission may, in its discretion, grant a license to any county agricultural society to conduct racing during its county fair notwithstanding license may have been issued for racing on another track in such county. Since the purpose of sections 2-1201 to 2-1218 is to encourage agriculture and horse breeding in Nebraska, every licensee shall hold at least one race on each racing day limited to Nebraska-bred horses, foaled--in--Nebraska,---but---if sufficient-competition-cannot-be-had-among-that-class--of horses-on-any-day,--another--race--for--said--day--may--be substituted. Three per cent of the first money of every purse won by a horse-bred-in-Nebraska Nebraska-bred horse shall be paid to the breeder of such horse.

For purposes of this section, Nebraska-bred horse shall mean a horse registered with the Nebraska Thoroughbred Registry and meeting the following requirements: (1) It must have been foaled in Nebraska; (2) its dam must have been registered, prior to foaling, with the Nebraska Thoroughbred Registry; (3) its owner or owners, or, if the owner is a corporation, all stockholders thereof, must have been bona fide citizens of Nebraska continually from January 1 of the year of conception through the date of foaling; and (4) its dam must have been continuously in Nebraska for six months immediately prior to foaling, except that this period may be reduced to ninety days in the case of a mare in foal and which is either (a) registered as a broodmare with the Nebraska Thoroughbred Registry but which is being

actively trained and raced outside Nebraska and is returned to this state and remains herein continuously for ninety days immediately prior to foaling, or (b) purchased at a nationally-recognized thoroughbred blood stock sale, the entries for which are closed prior to September 1 of the year of purchase, the name and pedigree of the mare being listed in the sale catalogue, and which is brought into this state and remains herein for ninety days immediately prior to foaling.

Sec. 2. It shall be unlawful for any person knowingly and willfully to falsify, conceal, or cover up by any trick, scheme, or device a material fact, or make any false, fictitious, or fraudulent statements or representations, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry regarding the prior racing record, pedigree, identity or ownership of a registered animal in any matter related to the breeding, buying, selling, or racing of such animal. Whoever violates any provision of this section shall be fined not more than ten thousand dollars or imprisoned for not more than five years, or be both so fined and imprisoned.

Sec. 3. That original section 2-1213, Reissue Revised Statutes of Nebraska, 1943, is repealed.