

LEGISLATIVE BILL 631

Approved by the Governor March 23, 1982

Introduced by Von Minden, 17; Hefner, 19; Goll, 16

AN ACT to amend sections 2-1207 and 2-1208.01, Reissue Revised Statutes of Nebraska, 1943, relating to horse racing; to change taxing provisions; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 2-1207, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1207. Within the enclosure of any race track where is held a race or race meeting licensed and conducted under sections 2-1201 to 2-1218, but not elsewhere, the pari-mutuel or certificate method or system of wagering on the results of the respective races may be used and conducted by the licensee in connection therewith. Under such system the licensee may receive wagers of money from any person present at such race on any horse in a race selected by such person to run first in such race, and the person so wagering shall acquire an interest in the total money so wagered on all horses in such race as first winners in proportion to the amount of money wagered by him or her. Such licensee shall issue to each person so wagering a certificate on which shall be shown the number of the race, the amount wagered, and the number or name of the horse selected by such person as first winner. As each race is run the licensee may deduct from the total sum wagered on all horses as first winners, respectively, (a) at thoroughbred race meets which conduct races more than three days per week excluding holidays, fifteen per cent of the total, plus the odd cents of the redistribution over the next lower multiple of ten, or (b) at race meets ~~other--than thoroughbred-race-meets, which conduct races not more than three days per week excluding holidays,~~ not less than fifteen nor more than eighteen per cent of the total, plus the odd cents of the redistribution over the next lower multiple of ten, and the balance remaining on hand shall be paid out to the holders of certificates on the winning horse in the proportion that the amount wagered by each certificate holder bears to the total amount wagered on all horses in such race to run first. The licensee may likewise receive such wagers on horses selected to run second, third, or both, or in such combinations as the commission may authorize, the method, procedure and the authority and right of the licensee, as

well as the deduction allowed to the licensee, to be as specified with respect to wagers upon horses selected to run first. No minor shall be permitted to make any pari-mutuel wager, and there shall be no wagering except under the pari-mutuel method outlined in this section. Any person, association, or corporation who knowingly permits a minor to make a pari-mutuel wager shall be guilty of a Class IV misdemeanor.

Sec. 2. That section 2-1208.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1208.01. There is hereby imposed a tax on the gross sum wagered by the pari-mutuel method at each race meeting at the following rates: (1) For meets held prior to January 1, 1986, which conduct races not more than three days per week excluding holidays (a) the first five million dollars shall not be taxed, and (b) any amount in excess of five million dollars shall be taxed at a rate of five per cent, and (2) for all other meets (a) the ~~(1) The first one million dollars shall not be taxed, and (2)~~ (b) any amount in excess of one million dollars shall be taxed at a rate of five per cent. The tax imposed by this section shall, within ten days after the close of each race meeting, be paid into the state treasury for deposit in the state General Fund.

After the effective date of this act and prior to January 1, 1986, the State Racing Commission shall promptly report to the Revenue Committee of the Legislature any changes in the schedule of race meetings which would qualify or disqualify any race meetings under subdivision (1) of this section.

Sec. 3. That original sections 2-1207 and 2-1208.01, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.