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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 882**

Session of  
1975

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INTRODUCED BY MUSTO, SHUPNIK, O'BRIEN, O'CONNELL AND HASAY,  
MARCH 20, 1975

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REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, MARCH 20, 1975

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AN ACT

1 Amending the act of December 11, 1967 (P.L.707, No.331),  
2 entitled "An act providing for and regulating thoroughbred  
3 horse racing with pari-mutuel wagering on the results  
4 thereof, creating the State Horse Racing Commission as an  
5 independent administrative commission and defining its powers  
6 and duties; providing for the establishment and operation of  
7 thoroughbred horse racing plants; imposing taxes on revenues  
8 of such plants; disposing of all moneys received by the  
9 commission and all moneys collected from the taxes;  
10 authorizing penalties; and making appropriations," requiring  
11 corporations to race in the county in which licensed.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. Section 3, act of December 11, 1967 (P.L.707,  
15 No.331), referred to as the Thoroughbred Horse Racing Law, is  
16 amended to read:

17 Section 3. Incorporation.--Any number of persons, not less  
18 than five, may incorporate for the purpose of conducting  
19 thoroughbred horse race meetings at which pari-mutuel betting  
20 will be conducted, with all the general powers of corporations  
21 created under the laws of this State, by making, signing,  
22 acknowledging and filing with the Department of State a

1 certificate which shall contain:

2 (1) The name of the proposed corporation.

3 (2) The objects for which it is to be formed and the  
4 location at which it is proposed to conduct its business.

5 (3) The amount and description of the capital stock.

6 (4) The location of its principal business office.

7 (5) Its duration, which may be forever.

8 (6) The number of its directors, not less than five nor more  
9 than thirteen.

10 (7) The names and post office addresses of the directors for  
11 the first year.

12 (8) The post office addresses of the subscribers and a  
13 statement of the number of shares of stock which each agrees to  
14 take in the corporation.

15 Each such certificate shall be accompanied by the fees, bonus  
16 and taxes required by law in the case of corporations organized  
17 under the "Business Corporation Law" of 1933.

18 No corporation organized pursuant to this act shall have or  
19 be given the right or power to conduct any thoroughbred horse  
20 race meet in the county in which the license is issued pursuant  
21 to this act, except on obtaining a license from the commission  
22 and at the location designated in its certificate of  
23 incorporation as the place at which it was proposed to conduct  
24 its business: Provided, That this restriction shall not apply to  
25 any such corporation whose racing plant or the usefulness  
26 thereof or of any material part thereof, in the discretion of  
27 the commission, shall, for any reason beyond the control of such  
28 corporation, be totally destroyed or so substantially interfered  
29 with or damaged as to render same unfit for continued operation.  
30 Pending the rebuilding or restoration of its usefulness, or the

1 making of the required repairs to said plant or the part thereof  
2 so destroyed or damaged, the State Horse Racing Commission may  
3 license such corporation to conduct its thoroughbred horse  
4 racing meetings at any other suitable location.

5 Section 2. This act shall take effect in 60 days.