

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1189 Session of
1977

INTRODUCED BY STAPLETON, HESS, MELLOW, EARLY, STOUT, SMITH,
SCHAEFER, O'PAKE, HOPPER, MOORE, ANDREWS AND ZEMPRELLI,
NOVEMBER 1, 1977

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, NOVEMBER 1, 1977

AN ACT

1 Amending the act of December 22, 1959 (P.L.1978, No.728),
2 entitled, as amended, "An act providing for and regulating
3 harness racing with pari-mutuel wagering on the results
4 thereof; creating the State Harness Racing Commission as a
5 departmental administrative commission within the Department
6 of Agriculture and defining its powers and duties; providing
7 for the establishment and operation of harness racing plants
8 subject to local option; imposing taxes on revenues of such
9 plants; disposing of all moneys received by the commission
10 and all moneys collected from the taxes; authorizing
11 penalties; and making appropriations," changing clauses
12 relating to disposition of pari-mutuel polls and to
13 appropriation of funds of Pennsylvania Sire Stakes Fund.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Sections 15 and 25, act of December 22, 1959
17 (P.L.1978, No.728) referred to as the Pennsylvania Harness
18 Racing Law, amended December 30, 1974 (P.L.1139, No.364), are
19 amended to read:

20 Section 15. Disposition of Pari-mutuel Pools.--Every
21 corporation authorized under this act to conduct pari-mutuel
22 betting at a harness horse race meeting on races run thereat
23 shall distribute all sums deposited in any pari-mutuel pool to

1 the holders of winning tickets therein, provided such tickets be
2 presented for payment before April first of the year following
3 the year of their purchase, less seventeen per centum of the
4 total deposits of regular one horse wagers and less twenty-one
5 per centum of the two and three horse wagers plus the breaks:

6 (1) At the close of each of the racing days any permit
7 holder shall be licensed to conduct harness racing in any
8 calendar year within any school districts of the first class,
9 the permit holder out of the amount retained on said day by said
10 permit holder, shall pay, through the Department of Revenue into
11 the State Treasury for credit to the State Harness Racing Fund,
12 a tax of one and one-half per centum of the amount wagered each
13 day, which tax is hereby imposed, and the permit holder shall
14 pay the school district in which the harness horse race meeting
15 is held a tax of four per centum of the amount wagered each day,
16 which tax is hereby imposed for general school purposes and as
17 to other permit holders, the permit holder during any year, out
18 of the amount retained on said day by said permit holder shall
19 pay, through the Department of Revenue into the State Treasury
20 for credit to the State Harness Racing Fund a tax of five and
21 one-half per centum of the amount wagered each day which tax is
22 hereby imposed.

23 In addition, each permit holder shall deposit two and seven
24 tenths per centum of the amount retained on said racing day by
25 said permit holder through the Department of Revenue for the
26 credit of the Pennsylvania Sire Stakes Fund which is hereby
27 appropriated to the Pennsylvania Harness Racing Commission for
28 distribution in accordance with the terms of this act.

29 (2) In addition, each permit holder shall be allowed to
30 retain the odd cents of all redistribution to be made on all

1 mutuel contributions exceeding a sum equal to the next lowest
2 multiple of ten, subject to a tax of fifty per centum of the
3 total sum of such odd cents, which tax is hereby imposed and
4 shall be paid by the permit holder to the Department of Revenue
5 for credit to the Pennsylvania Sire Stakes Fund, which fund is
6 hereby appropriated to the Pennsylvania Harness Racing
7 Commission for distribution in accordance with the terms of this
8 act.

9 Section 25. Appropriation of Funds of Pennsylvania Sire
10 Stakes Fund.--(a) After deduction of sufficient funds to cover
11 the commission's cost of administration of the provisions of
12 this section [seventy-five per centum of all] the sum of three
13 hundred twenty-five thousand dollars (\$325,000) in the
14 Pennsylvania Sire Stakes Fund shall be divided equally among
15 those agricultural fairs conducting harness horse races for two
16 year old and three year old harness horses. Each fair receiving
17 such funds shall divide the total amount equally among all
18 eligible races for two year old and three year old harness
19 horses and shall apply the funds solely as additional purse
20 funds. Only races to which entry is restricted to Pennsylvania
21 bred or foaled horses shall be eligible and the commission shall
22 make such provisions and regulations as it shall deem necessary
23 for the proper administration of the eligibility restriction.
24 All remaining moneys in the Pennsylvania Sire Stakes Fund shall
25 be divided equally among the licensees licensed under section 7
26 of this act.

27 (b) As an additional condition of the grant of a license
28 under section 7 of this act, each licensee shall accept such
29 amount, to be used solely as purses for the following races,
30 which each licensee shall sponsor at some time during its

1 licensed meeting:

2 (1) [Four] Eight two year old races--[one] two pace for
3 colts, [one] two pace for fillies, [one] two trot for colts, and
4 [one] two trot for fillies;

5 (2) [Four] Eight three year old races--[one] two pace for
6 colts, [one] two pace for fillies, [one] two trot for colts,
7 [one] two trot for fillies;

8 Entry for these races shall be limited to harness horses
9 which were sired by a standard-bred stallion regularly standing
10 in Pennsylvania; and each such race shall be designated a
11 Pennsylvania Sire Stakes Race. The commission shall make such
12 provisions and regulations as it shall deem necessary for the
13 proper administration of the entry restriction.

14 (c) Each licensee shall divide the funds received hereunder
15 equally for each of the two year old races, and for each of the
16 three year old races, each such allotment shall provide purse
17 money for the respective races. Such purse money shall be in
18 addition to any entry fees or other funds available.

19 (d) Each licensee shall schedule such races subject to the
20 right of the commission to prevent conflicts in the event of
21 contemporaneous meetings.

22 [(e) The remaining moneys in the Pennsylvania Sire Stakes
23 Fund shall be divided equally among those agricultural fairs
24 conducting harness horse races for two year old and three year
25 old harness horses. Each fair receiving such funds shall divide
26 the total amount equally among all eligible races for two year
27 old and three year old harness horses and shall apply the funds
28 solely as additional purse funds. Only races to which entry is
29 restricted to Pennsylvania bred or foaled horses shall be
30 eligible and the commission shall make such provisions and

1 regulations as it shall deem necessary for the proper
2 administration of the eligibility restriction.]

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