

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1177 Session of
1983

INTRODUCED BY SEVENTY, PISTELLA, MURPHY, DeLUCA, CAPPABIANCA,
DUFFY, VAN HORNE, OLASZ, McVERRY, DAWIDA, PETRONE, COLE,
DAVIES AND TRELLO, JUNE 7, 1983

AS AMENDED ON SECOND CONSIDERATION, MAY 1, 1984

AN ACT

1 Amending the act of December 17, 1981 (P.L.435, No.135),
2 entitled "An act providing for the regulation of pari-mutuel
3 thoroughbred horse racing and harness horse racing
4 activities; imposing certain taxes and providing for the
5 disposition of funds from pari-mutuel tickets," PROVIDING FOR <—
6 CERTAIN SIMULCASTING OF HORSE RACES; DEFINING OWNERSHIP
7 INTEREST SUBJECT TO REGULATION; AND providing for monitoring
8 of wagering on video screens.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. ~~The~~ SECTIONS 204 AND 210 OF THE act of December <—
12 17, 1981 (P.L.435, No.135), known as the Race Horse Industry
13 Reform Act, ~~is amended by adding a section~~ ARE AMENDED to read: <—
14 SECTION 204. FILING OF INFORMATION CONCERNING STOCK TRANSFERS; <—
15 NECESSITY FOR COMMISSIONS' APPROVAL.

16 (A) WHENEVER A TRANSFER OF STOCK [OF] COMPRISING AN INTEREST
17 OF 5% OR MORE IN ANY LICENSED CORPORATION [OR OF], ANY
18 CORPORATION WHICH LEASES TO A LICENSED CORPORATION THE TRACK
19 FACILITY AT WHICH IT CONDUCTS PARI-MUTUEL HORSE RACES OR ANY
20 CORPORATION WHICH OWNS 25% OR MORE OF THE STOCK OF THE LICENSED

CORPORATION SHALL BE MADE, THERE SHALL BE FILED, SIMULTANEOUSLY,
WITH THE CORPORATION WHICH ISSUED SUCH STOCK THE FOLLOWING:

(1) IN DUPLICATE, AN AFFIDAVIT EXECUTED BY THE
TRANSFeree OF THE INTEREST STATING THAT HE IS TO BE THE SOLE
BENEFICIAL OWNER THEREOF, AND WHETHER OR NOT HE:

(I) HAS BEEN CONVICTED OF A CRIME INVOLVING MORAL
TURPITUDE;

(II) HAS BEEN ENGAGED IN BOOKMAKING OR OTHER FORMS
OF ILLEGAL GAMBLING;

(III) HAS BEEN FOUND GUILTY OF ANY FRAUD OR
MISREPRESENTATION IN CONNECTION WITH RACING OR BREEDING;

(IV) HAS BEEN GUILTY OF ANY VIOLATION OR ATTEMPT TO
VIOLATE ANY LAW, RULE OR REGULATION OF ANY RACING
JURISDICTION, FOR WHICH SUSPENSION FROM RACING MIGHT BE
IMPOSED IN SUCH JURISDICTION; OR

(V) HAS VIOLATED ANY RULE, REGULATION OR ORDER OF
THE COMMISSIONS.

IF THE TRANSFeree OF THE INTEREST IS NOT, OR IS NOT TO BE,
THE SOLE BENEFICIAL OWNER, THERE SHALL BE ANNEXED TO THE
AFFIDAVIT OF THE TRANSFeree, AND EXPRESSLY STATED IN SUCH
AFFIDAVIT, A TRUE AND COMPLETE COPY OF ALL TERMS OF THE
AGREEMENT PURSUANT TO WHICH THE [STOCK] INTEREST IN THE
CORPORATION IS TO BE HELD BY THE TRANSFeree, INCLUDING A
DETAILED STATEMENT OF THE INTEREST OF EACH PERSON WHO IS TO
HAVE ANY INTEREST THEREIN.

(2) IN DUPLICATE, AN AFFIDAVIT EXECUTED BY EACH PERSON
FOR WHOM THE [STOCK, OR ANY] INTEREST [THEREIN,] IS TO BE
HELD BY THE TRANSFeree, SETTING FORTH WHETHER OR NOT THE
AFFIANT:

(I) HAS BEEN CONVICTED OF A CRIME INVOLVING MORAL

TURPITUDE;

(II) HAS ENGAGED IN BOOKMAKING OR OTHER FORMS OF
ILLEGAL GAMBLING;

(III) HAS BEEN FOUND GUILTY OF ANY FRAUD OR
MISREPRESENTATION IN CONNECTION WITH RACING OR BREEDING;

(IV) HAS BEEN GUILTY OF ANY VIOLATION OR ATTEMPT TO
VIOLATE ANY LAW, RULE OR REGULATION OF ANY RACING
JURISDICTION, FOR WHICH SUSPENSION FROM RACING MIGHT BE
IMPOSED IN SUCH JURISDICTION; OR

(V) HAS VIOLATED ANY RULE, REGULATION OR ORDER OF
THE COMMISSIONS.

TO EACH OF THE AFFIDAVITS SHALL BE ANNEXED, AND EXPRESSLY
STATED IN SUCH AFFIDAVIT, A TRUE AND COMPLETE COPY OF ALL THE
TERMS OF THE AGREEMENT PURSUANT TO WHICH [STOCK] THE INTEREST
IS TO BE HELD BY THE TRANSFEREE, INCLUDING A DETAILED
STATEMENT OF THE INTEREST OF EACH PERSON WHO IS TO HAVE ANY
INTEREST THEREIN. THE CORPORATION SHALL FILE WITH THE
APPROPRIATE COMMISSION ONE OF EACH DUPLICATE AFFIDAVITS.

(B) IF, AFTER THE FILING OF ANY AFFIDAVIT REQUIRED TO BE
FILED, THERE SHALL BE ANY CHANGE IN THE STATUS OF ANY AFFIANT
WITH RESPECT TO ANY OF THE MATTERS SET FORTH IN SUBSECTION
(A)(1) OF THE AFFIDAVIT FILED, THE AFFIANT SHALL FILE WITH THE
CORPORATION WITH WHICH HIS AFFIDAVIT WAS SO FILED A NEW
AFFIDAVIT, EXECUTED BY HIM IN DUPLICATE, SETTING FORTH THE
CHANGE OF STATUS AND THE CORPORATION SHALL FILE ONE OF THESE
AFFIDAVITS WITH THE APPROPRIATE COMMISSION.

(C) WHENEVER ANY CHANGE SHALL BE MADE IN THE AMOUNT, NATURE
OR OF THE INTEREST OF ANY PERSON HAVING AN INTEREST OF 5% OR
MORE IN [STOCK OF] ANY CORPORATION, OR ANY NEW INTEREST OF 5% OR
MORE SHALL BE CREATED THEREIN, WITHOUT A TRANSFER AS PROVIDED,

1 THE RECORD OWNER OF THE STOCK, AND EACH PERSON WHOSE INTEREST
2 HAS BEEN ATTEMPTED TO BE CHANGED OR CREATED, SHALL FILE WITH THE
3 CORPORATION WHICH ISSUED THE STOCK, IN DUPLICATE, AFFIDAVITS AS
4 PROVIDED BY SUBSECTION (A)(1) AND (2), EXCEPT THAT THESE
5 AFFIDAVITS NEED NOT INCLUDE THE MATTER REFERRED TO IN SUBSECTION
6 (A) UNLESS THEN REQUIRED PURSUANT TO SUBSECTION (B) AND ONE COPY
7 THEREOF SHALL BE FILED BY THE CORPORATION WITH THE APPROPRIATE
8 COMMISSION.

9 (D) IF THE APPROPRIATE COMMISSION DETERMINES THAT IT IS
10 INCONSISTENT WITH THE PUBLIC INTEREST, CONVENIENCE, OR
11 NECESSITY, OR WITH THE BEST INTEREST OF RACING GENERALLY, THAT
12 ANY PERSON ~~HAVING AN INTEREST OF 5% OR MORE~~ CONTINUE TO BE A <—
13 STOCKHOLDER OF RECORD, OR THE BENEFICIAL OWNER OF ~~{ANY} THAT~~ <—
14 INTEREST IN STOCK STANDING IN THE NAME OF ANOTHER IN ANY
15 LICENSED CORPORATION OR OF ANY CORPORATION WHICH LEASES TO SUCH
16 LICENSED CORPORATION THE TRACK AT WHICH IT CONDUCTS PARI-MUTUEL
17 HORSE RACING OR WHICH OWNED 25% OR MORE OF THE STOCK OF THE
18 LICENSEE, THE APPROPRIATE COMMISSION SHALL HAVE FULL POWER AND
19 AUTHORITY TO ORDER EACH ~~SUCH~~ STOCKHOLDER OR BENEFICIAL OWNER TO <—
20 DISPOSE OF HIS STOCK OR INTEREST WITHIN A PERIOD OF TIME TO BE
21 SPECIFIED BY THE APPROPRIATE COMMISSION, WHICH PERIOD THE
22 APPROPRIATE COMMISSION SHALL HAVE FULL POWER TO EXTEND.

23 (E) IF THE COMMISSIONS SHALL MAKE ANY ORDER OR DIRECTION AS
24 PROVIDED IN SUBSECTION (D), THE PERSON AGGRIEVED SHALL BE GIVEN
25 NOTICE OF THE TIME AND PLACE OF A HEARING BEFORE THE APPROPRIATE
26 COMMISSION, AT WHICH TIME THE APPROPRIATE COMMISSION WILL HEAR
27 THE PERSON IN REFERENCE THERETO.

28 SECTION 210. SHAREHOLDERS.

29 (A) EACH LICENSED CORPORATION SHALL, ONCE A YEAR, PROVIDE
30 THE APPROPRIATE COMMISSION WITH A COMPLETE LIST OF ALL ITS

1 SHAREHOLDERS ~~HAVING AN INTEREST OF 5% OR MORE IN THE~~ <—
2 ~~CORPORATION~~, INDICATING THE NUMBER OF SHARES BY EACH ~~LISTED~~ <—
3 SHAREHOLDER.

4 (B) IT SHALL BE THE DUTY OF EACH LICENSED CORPORATION WITHIN
5 TEN DAYS AFTER ANY TRANSFER OF STOCK COMPRISING AN INTEREST OF
6 5% OR MORE IN SUCH LICENSEE, TO NOTIFY THE APPROPRIATE
7 COMMISSION OF THE TRANSFER.

8 (C) EACH CERTIFICATE OF STOCK ISSUED BY A LICENSED
9 CORPORATION ~~TO A SHAREHOLDER HAVING AN INTEREST OF 5% OR MORE IN~~ <—
10 ~~THE CORPORATION A 5% OR GREATER INTEREST~~ SHALL HAVE NOTED ON THE <—
11 FACE THEREOF THAT THE PERSON WHOSE NAME IS INDICATED AS THE
12 OWNER OF [THE] SUCH SHARES OF STOCK BY THE CERTIFICATE IS THE <—
13 SOLE AND ABSOLUTE OWNER, AND THAT HE IS NOT HOLDING [THE] SUCH <—
14 SHARES OF STOCK OR ANY PORTION OF [THE] SUCH SHARES OF STOCK <—
15 REPRESENTED BY THE CERTIFICATE IN TRUST FOR ANY PERSON,
16 PARTNERSHIP, FIRM OR CORPORATION WHO OR WHICH IS PROHIBITED FROM
17 OWNING [THE] SUCH SHARES OF STOCK. IF ANY OF [THE] SUCH SHARES <—
18 OF STOCK REPRESENTED BY A CERTIFICATE OF STOCK ARE HELD SUBJECT
19 TO THE TERMS OF EITHER AN INTER VIVOS OR TESTAMENTARY TRUST FOR
20 THE BENEFIT OF ANY PERSON WHO COULD LAWFULLY OWN SUCH STOCK IN
21 HIS OWN NAME, THE FACT SHALL BE NOTED ON THE FACE OF THE
22 CERTIFICATE AND A COPY OF THE INSTRUMENT WHICH CREATED THE TRUST
23 SHALL BE ATTACHED. A DUPLICATE COPY OF THE INSTRUMENT WHICH
24 CREATED THE TRUST SHALL BE FILED WITH THE APPROPRIATE
25 COMMISSION.

26 (D) NO PROPERTY RIGHTS SHALL EXIST IN ANY SHARES OF STOCK OF
27 ANY LICENSED CORPORATION ~~ISSUED TO A SHAREHOLDER HAVING AN~~ <—
28 ~~INTEREST OF 5% OR MORE IN THE CORPORATION WHICH SHARES~~ WHICH ARE <—
29 HELD IN TRUST CONTRARY TO THE PROVISIONS OF THIS SECTION AND THE
30 SAME SHALL BE FORFEITED TO THE COMMONWEALTH AFTER REASONABLE

1 NOTICE AND UPON HEARING AND PROOF THEREOF IN ANY SUIT INSTITUTED
2 BY THE ATTORNEY GENERAL OF PENNSYLVANIA. UPON IT BEING
3 ESTABLISHED THAT THE STOCK IS SUBJECT TO FORFEITURE BY LEGAL
4 ADJUDICATION, THE APPROPRIATE COMMISSION SHALL SELL THE
5 FORFEITED STOCK AT PUBLIC SALE, UPON PROPER NOTICE, TO THE
6 HIGHEST BIDDER. THE PROCEEDS FROM THE SALE SHALL BE DEPOSITED IN
7 THE GENERAL FUND OF THE COMMONWEALTH OF PENNSYLVANIA.

8 (E) AS USED IN THIS SECTION, THE TERM "LICENSED CORPORATION"
9 SHALL INCLUDE ANY LICENSED CORPORATION AS DEFINED IN SECTION 102
10 AND ALSO ANY FIRM, ASSOCIATION OR CORPORATION WHICH OWNS OR
11 LEASES TO ANY LICENSED ASSOCIATION OR CORPORATION A RACE TRACK
12 AT WHICH PARI-MUTUEL RACING IS CONDUCTED, OR ANY FIRM,
13 ASSOCIATION OR CORPORATION WHICH PARTICIPATES IN THE MANAGEMENT
14 OF ANY SUCH LICENSED CORPORATION.

15 SECTION 2. THE ACT IS AMENDED BY ADDING ~~A SECTION~~ SECTIONS <—
16 to read:

17 Section 233. Monitoring of wagering on video screens.

18 Every corporation licensed to conduct pari-mutuel betting
19 shall display on video screens the approximate odds or
20 approximate will pays on each horse for each race as well as any
21 combination of races including, but not limited to, quinellas,
22 exactas, perfectas and any other combination or pool of races.

23 NO DISPLAY OF APPROXIMATE ODDS OR APPROXIMATE WILL PAYS SHALL BE <—
24 REQUIRED WHERE THE WAGER IS ON HORSES IN FOUR OR MORE RACES,
25 SUCH AS "PICK 4, PICK 5 OR PICK 6." In addition to displaying
26 the amount of money wagered, the approximate odds or approximate
27 will pays on each horse or combination of horses shall be shown
28 on video screens IN EACH WAGERING DIVISION. For trifectas, in <—
29 lieu of odds or approximate will pays, the amount of money being
30 wagered on each horse to win in the trifecta pool shall be

1 displayed on video screens separately from any other
2 information. The above required information shall be displayed
3 from the opening of bets or wagering and be continually
4 displayed until the wagering is closed. At least one video
5 screen in each wagering division shall display the amount of
6 money wagered on each horse involved in any trifecta pool.

7 SECTION 234. EXPERIMENTAL SIMULCASTINGS.

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8 THE STATE HARNESS RACING COMMISSION MAY, UPON REQUEST FROM A
9 LICENSED CORPORATION, GRANT PERMISSION ON AN EXPERIMENTAL BASIS
10 TO A FACILITY WHICH CONDUCTED LESS THAN 80 DAYS OF RACING PER
11 YEAR TO SIMULCAST INTRASTATE RACING. THE PERIOD OF EXPERIMENTAL
12 SIMULCASTING SHALL BE THROUGH NOVEMBER, 1984. SUCH SIMULCASTS
13 ARE TO BE OPERATED BY THE LICENSED CORPORATION AT THE RACE TRACK
14 ENCLOSURE WHERE A HORSE RACE MEETING IS BEING CONDUCTED DURING,
15 BETWEEN, BEFORE OR AFTER POSTED RACES FOR THAT RACING DAY. ALL
16 FORMS OF PARI-MUTUEL WAGERING AS DESCRIBED UNDER SECTION 221
17 SHALL BE ALLOWED ON HORSE RACES TO BE TELEVISED BY SIMULCASTING.
18 THE STATE HARNESS RACING COMMISSION MAY PROMULGATE RULES OR
19 REGULATIONS TO REGULATE THE WAGERING AND THE OPERATION OF THESE
20 HORSE RACES. ALL MONEYS WAGERED BY PATRONS ON THESE HORSE RACES
21 SHALL BE COMPUTED IN THE AMOUNT OF MONEY WAGERED EACH RACING DAY
22 FOR PURPOSES OF TAXATION UNDER SECTION 222.

23 ~~SECTION 3. (A) SECTION 1 SHALL TAKE EFFECT IMMEDIATELY.~~

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24 ~~(B) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 120 DAYS.~~

25 SECTION 3. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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