

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 763

Session of
1977

INTRODUCED BY BELLOMINI, ENGLEHART, D. S. HAYES AND DOMBROWSKI,
MARCH 28, 1977

REFERRED TO COMMITTEE ON FINANCE, MARCH 28, 1977

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," further
11 providing for distribution of pari-mutuel pools.

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

14 Section 1. Section 17, act of December 11, 1967 (P.L.707,
15 No.331), entitled "An act providing for and regulating
16 thoroughbred horse racing with pari-mutuel wagering on the
17 results thereof, creating the State Horse Racing Commission as
18 an independent administrative commission and defining its powers
19 and duties; providing for the establishment and operation of
20 thoroughbred horse racing plants; imposing taxes on revenues of
21 such plants; disposing of all moneys received by the commission
22 and all moneys collected from the taxes; authorizing penalties;

1 and making appropriations," amended December 30, 1974 (P.L.1115,
2 No.358), is amended to read:

3 Section 17. Disposition of Pari-mutuel Pools.--Every
4 corporation authorized under this act to conduct pari-mutuel
5 betting at a thoroughbred horse race meeting on races run
6 thereat shall distribute all sums deposited in any pari-mutuel
7 pool to the holders of winning tickets therein, provided such
8 tickets be presented for payment before April first of the year
9 following the year of their purchase, less seventeen percent of
10 the total deposits plus the breaks. At the close of each racing
11 day, the permit holder out of the amount retained on said day by
12 said permit holder, shall pay, through the Department of Revenue
13 into the State Treasury for credit to the State Horse Racing
14 Fund, a tax of four and three-quarters percent of the amount
15 wagered each day, which tax is hereby imposed: Provided,
16 however, That any permit holder (i) whose total deposits in
17 their pari-mutuel pool average less than three hundred thousand
18 dollars (\$300,000) a day for the previous meeting of the permit
19 holder; (ii) which has sustained an operating loss before
20 depreciation but after debt service, which loss shall be
21 determined from the financial statements of the permit holder
22 filed with and approved by the State Horse Racing Commission;
23 and (iii) subject to the approval of the State Horse Racing
24 Commission, shall pay, through the Department of Revenue into
25 the State Treasury for credit to the State Horse Racing Fund, a
26 tax of two and three-quarters percent of the amount wagered each
27 day. At the close of each racing day the permit holder shall pay
28 one-half of one percent of the amount wagered through the
29 Department of Revenue into the State Treasury which shall be
30 credited to the Pennsylvania Breeding Fund by the Treasury

1 Department, which fund is hereby appropriated to the State Horse
2 Racing Commission for distribution in accordance with the terms
3 of this act, and as to thoroughbred horse race meetings held
4 within school districts of the first class the permit holder
5 shall pay the school district in which the thoroughbred horse
6 race meeting is held a tax of two percent of the amount wagered
7 each day, which tax is hereby imposed for general school
8 purposes. The remainder shall be retained by the permit holder
9 of which at least five percent of the amount wagered each day
10 shall be paid in purse money.

11 During the calendar years 1975 and 1976 the amount paid to
12 the Pennsylvania Breeding Fund shall not exceed one million two
13 hundred fifty thousand dollars (\$1,250,000) per annum. The
14 excess moneys, if any, shall be divided in proportion to the
15 amount wagered among the permit holders in 1975 and 1976 and
16 shall be used exclusively for purses.

17 In addition, each permit holder shall be allowed to retain
18 the odd cents of all redistribution to be made on all mutuel
19 contributions exceeding a sum equal to the next lowest multiple
20 of ten, subject to a tax of fifty percent of the total sum of
21 such odd cents, which tax is hereby imposed and shall be paid by
22 the permit holder at the close of each racing day to the
23 Department of Revenue for credit to the State Horse Racing Fund.

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