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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 890**

Session of  
1979

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INTRODUCED BY LEWIS, JULY 4, 1979

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JULY 1, 1980

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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," further providing for  
12 the employment of public employes AND FOR THE DISPOSITION OF  
13 PARI-MUTUEL POOLS IN COUNTIES OF THE FOURTH CLASS. ←

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

16 Section 1. Subsection (a) of section 7.2, act of December  
17 22, 1959 (P.L.1978, No.728), referred to as the Pennsylvania  
18 Harness Racing Law, amended February 25, 1972 (P.L.86, No.31),  
19 is amended to read:

20 Section 7.2. Prohibition of Interest by Public Officers,  
21 Public Employes and Party Officers in Pari-mutuel Racing  
22 Activities.--(a) No public officer, public employe or party  
23 officer shall:

1 (1) Hold any license from the State Harness Racing  
2 Commission; or

3 (2) Own or hold, directly or indirectly, any proprietary  
4 interest, stock or obligation of any firm, association or  
5 corporation (i) which is licensed by such commission to conduct  
6 pari-mutuel racing, or (ii) which is licensed to conduct its  
7 occupation, trade or business at race tracks at which pari-  
8 mutuel race meets are conducted, or (iii) which owns or leases  
9 to any licensed association or corporation a race track at which  
10 pari-mutuel racing is conducted, or (iv) which participates in  
11 the management of any licensee conducting pari-mutuel racing; or

12 (3) Hold any office or employment with any firm, association  
13 or corporation specified in clause (2) of this section; or

14 (4) Sell (or be a member of a firm or own ten per centum or  
15 more of the stock of any corporation which sells) any goods or  
16 services to any firm, association or corporation specified in  
17 clause (2) of this section.

18 The provisions of clause (3) of this subsection (a) shall not  
19 apply to a public employe [of a political subdivision] (other+ <—  
20 ~~other~~ than a police officer or paid employe of a police  
21 department, sheriff's office, district attorney's office or  
22 other law enforcement †agency) [whose compensation is less than <—  
23 twelve thousand dollars (\$12,000) per annum] ~~agency of a~~ <—  
24 ~~municipality in which the race track is located~~: Provided,  
25 however, That such employment of employes of a political  
26 subdivision may be prohibited by ordinance, resolution or local  
27 law adopted by the local legislative body or other governing  
28 board of such political subdivision.

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30 SECTION 2. THE FIRST PARAGRAPH OF SECTION 15 OF THE ACT, <—

1 AMENDED APRIL 11, 1978 (P.L.23, NO.12), IS AMENDED TO READ:

2 SECTION 15. DISPOSITION OF PARI-MUTUEL POOLS.--EVERY  
3 CORPORATION AUTHORIZED UNDER THIS ACT TO CONDUCT PARI-MUTUEL  
4 BETTING AT A HARNESS HORSE RACE MEETING ON RACES RUN THEREAT  
5 SHALL DISTRIBUTE ALL SUMS DEPOSITED IN ANY PARI-MUTUEL POOL TO  
6 THE HOLDERS OF WINNING TICKETS THEREIN, PROVIDED SUCH TICKETS BE  
7 PRESENTED FOR PAYMENT BEFORE APRIL FIRST OF THE YEAR FOLLOWING  
8 THE YEAR OF THEIR PURCHASE, LESS SEVENTEEN PER CENTUM OF THE  
9 TOTAL DEPOSITS PLUS THE BREAKS FROM ALL WAGERS EXCEPT THAT [IN  
10 SCHOOL DISTRICTS OF THE FIRST CLASS AND COUNTIES OF THE THIRD  
11 CLASS,] THE AMOUNT DISTRIBUTED SHALL BE LESS NINETEEN PER CENTUM  
12 OF THE TOTAL DEPOSITS PLUS THE BREAKS FROM THE EXACTA, DAILY  
13 DOUBLE, QUINELLA AND OTHER WAGERING INVOLVING TWO HORSES EACH  
14 RACING DAY, AND LESS TWENTY-FIVE PER CENTUM OF THE TOTAL DEPOSIT  
15 PLUS THE BREAKS FROM THE TRIFECTA AND OTHER WAGERING INVOLVING  
16 MORE THAN TWO HORSES IN ONE OR MORE RACES EACH RACING DAY AND  
17 LESS NINETEEN PER CENTUM FROM REGULAR WAGERS FOR ANY PERMIT  
18 HOLDER WHOSE TOTAL DEPOSITS IN ITS PARI-MUTUEL POOL AVERAGED  
19 LESS THAN THREE HUNDRED THOUSAND DOLLARS (\$300,000) A DAY FOR  
20 THE PREVIOUS MEETING OF THE PERMIT HOLDER: [AND EXCEPT THAT IN  
21 COUNTIES OF THE FOURTH CLASS THE AMOUNT DISTRIBUTED SHALL BE  
22 LESS NINETEEN PER CENTUM OF THE TOTAL DEPOSITS PLUS THE BREAKS  
23 FROM THE EXACTA, DAILY DOUBLE, QUINELLA AND OTHER WAGERING  
24 INVOLVING TWO HORSES EACH RACING DAY AND FROM THE TRIFECTA AND  
25 OTHER WAGERING INVOLVING MORE THAN TWO HORSES IN ONE OR MORE  
26 RACES EACH RACING DAY:]

27 \* \* \*

28 Section ~~2~~ 3. This act shall take effect immediately.

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