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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1177

Session of  
1983

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

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SENATOR O'CONNELL, STATE GOVERNMENT, IN SENATE, RE-REPORTED  
AS AMENDED, NOVEMBER 19, 1984

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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.~~ RESTRICTING THE POWER OF THE <—  
9 COMMISSION RELATING TO NIGHT RACING; FURTHER REGULATING  
10 INTERSTATE SIMULCASTING OF HORSE RACES; ~~PLACING CERTAIN~~ <—  
11 ~~LIMITATIONS ON THE TELEVISIONING OF HORSE RACES; AND PROVIDING~~  
12 ~~ADDITIONAL RACING DATES UNDER CERTAIN CIRCUMSTANCES. AND~~  
13 FURTHER PROVIDING FOR THE CONDUCT OF WAGERING.

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

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

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

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

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

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

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

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

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

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

24      (B) IF, AFTER THE FILING OF ANY AFFIDAVIT REQUIRED TO BE  
25      FILED, THERE SHALL BE ANY CHANGE IN THE STATUS OF ANY AFFIANT  
26      WITH RESPECT TO ANY OF THE MATTERS SET FORTH IN SUBSECTION

27      (A)(1) OF THE AFFIDAVIT FILED, THE AFFIANT SHALL FILE WITH THE  
28      CORPORATION WITH WHICH HIS AFFIDAVIT WAS SO FILED A NEW  
29      AFFIDAVIT, EXECUTED BY HIM IN DUPLICATE, SETTING FORTH THE  
30      CHANGE OF STATUS AND THE CORPORATION SHALL FILE ONE OF THESE

1 AFFIDAVITS WITH THE APPROPRIATE COMMISSION.

2 (C) WHENEVER ANY CHANGE SHALL BE MADE IN THE AMOUNT, NATURE  
3 OR OF THE INTEREST OF ANY PERSON HAVING AN INTEREST OF 5% OR  
4 MORE IN [STOCK OF] ANY CORPORATION, OR ANY NEW INTEREST OF 5% OR  
5 MORE SHALL BE CREATED THEREIN, WITHOUT A TRANSFER AS PROVIDED,  
6 THE RECORD OWNER OF THE STOCK, AND EACH PERSON WHOSE INTEREST  
7 HAS BEEN ATTEMPTED TO BE CHANGED OR CREATED, SHALL FILE WITH THE  
8 CORPORATION WHICH ISSUED THE STOCK, IN DUPLICATE, AFFIDAVITS AS  
9 PROVIDED BY SUBSECTION (A)(1) AND (2), EXCEPT THAT THESE  
10 AFFIDAVITS NEED NOT INCLUDE THE MATTER REFERRED TO IN SUBSECTION  
11 (A) UNLESS THEN REQUIRED PURSUANT TO SUBSECTION (B) AND ONE COPY  
12 THEREOF SHALL BE FILED BY THE CORPORATION WITH THE APPROPRIATE  
13 COMMISSION.

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

28 (E) IF THE COMMISSIONS SHALL MAKE ANY ORDER OR DIRECTION AS  
29 PROVIDED IN SUBSECTION (D), THE PERSON AGGRIEVED SHALL BE GIVEN  
30 NOTICE OF THE TIME AND PLACE OF A HEARING BEFORE THE APPROPRIATE

1 COMMISSION, AT WHICH TIME THE APPROPRIATE COMMISSION WILL HEAR  
2 THE PERSON IN REFERENCE THERETO.

3 SECTION 2. SECTION 207 OF THE ACT IS AMENDED BY ADDING A <—  
4 SUBSECTION TO READ:

5 SECTION 207. ALLOCATION OF RACING DAYS.

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7 ~~(E) AFTER JULY 1, 1984~~ JUNE 28, 1984, THE COMMISSION SHALL <—  
8 NOT HAVE THE POWER TO EXTEND THE PRIVILEGE OF NIGHT RACING TO  
9 ANY LICENSED CORPORATION WHICH DID NOT HAVE THE AUTHORITY TO  
10 CONDUCT NIGHT RACING PRIOR TO ~~JULY 1, 1984~~ JUNE 28, 1984. <—

11 SECTION 3. SECTIONS 210 AND 216 OF THE ACT ARE AMENDED TO  
12 READ:

13 SECTION 210. SHAREHOLDERS.

14 (A) EACH LICENSED CORPORATION SHALL, ONCE A YEAR, PROVIDE  
15 THE APPROPRIATE COMMISSION WITH A COMPLETE LIST OF ALL ITS  
16 SHAREHOLDERS ~~HAVING AN INTEREST OF 5% OR MORE IN THE~~ <—  
17 ~~CORPORATION~~, INDICATING THE NUMBER OF SHARES BY EACH ~~LISTED~~ <—  
18 SHAREHOLDER.

19 (B) IT SHALL BE THE DUTY OF EACH LICENSED CORPORATION WITHIN  
20 TEN DAYS AFTER ANY TRANSFER OF STOCK COMPRISING AN INTEREST OF  
21 5% OR MORE IN SUCH LICENSEE, TO NOTIFY THE APPROPRIATE  
22 COMMISSION OF THE TRANSFER.

23 (C) EACH CERTIFICATE OF STOCK ISSUED BY A LICENSED  
24 CORPORATION TO A SHAREHOLDER HAVING AN INTEREST OF 5% OR MORE IN <—  
25 THE CORPORATION A 5% OR GREATER INTEREST SHALL HAVE NOTED ON THE <—  
26 FACE THEREOF THAT THE PERSON WHOSE NAME IS INDICATED AS THE  
27 OWNER OF [THE] SUCH SHARES OF STOCK BY THE CERTIFICATE IS THE <—  
28 SOLE AND ABSOLUTE OWNER, AND THAT HE IS NOT HOLDING [THE] SUCH <—  
29 SHARES OF STOCK OR ANY PORTION OF [THE] SUCH SHARES OF STOCK <—  
30 REPRESENTED BY THE CERTIFICATE IN TRUST FOR ANY PERSON,

1 PARTNERSHIP, FIRM OR CORPORATION WHO OR WHICH IS PROHIBITED FROM  
2 OWNING [THE] SUCH SHARES OF STOCK. IF ANY OF [THE] SUCH SHARES <—  
3 OF STOCK REPRESENTED BY A CERTIFICATE OF STOCK ARE HELD SUBJECT  
4 TO THE TERMS OF EITHER AN INTER VIVOS OR TESTAMENTARY TRUST FOR  
5 THE BENEFIT OF ANY PERSON WHO COULD LAWFULLY OWN SUCH STOCK IN  
6 HIS OWN NAME, THE FACT SHALL BE NOTED ON THE FACE OF THE  
7 CERTIFICATE AND A COPY OF THE INSTRUMENT WHICH CREATED THE TRUST  
8 SHALL BE ATTACHED. A DUPLICATE COPY OF THE INSTRUMENT WHICH  
9 CREATED THE TRUST SHALL BE FILED WITH THE APPROPRIATE  
10 COMMISSION.

11 (D) NO PROPERTY RIGHTS SHALL EXIST IN ANY SHARES OF STOCK OF  
12 ANY LICENSED CORPORATION ~~ISSUED TO A SHAREHOLDER HAVING AN~~ <—  
13 ~~INTEREST OF 5% OR MORE IN THE CORPORATION WHICH SHARES~~ WHICH ARE <—  
14 HELD IN TRUST CONTRARY TO THE PROVISIONS OF THIS SECTION AND THE  
15 SAME SHALL BE FORFEITED TO THE COMMONWEALTH AFTER REASONABLE  
16 NOTICE AND UPON HEARING AND PROOF THEREOF IN ANY SUIT INSTITUTED  
17 BY THE ATTORNEY GENERAL OF PENNSYLVANIA. UPON IT BEING  
18 ESTABLISHED THAT THE STOCK IS SUBJECT TO FORFEITURE BY LEGAL  
19 ADJUDICATION, THE APPROPRIATE COMMISSION SHALL SELL THE  
20 FORFEITED STOCK AT PUBLIC SALE, UPON PROPER NOTICE, TO THE  
21 HIGHEST BIDDER. THE PROCEEDS FROM THE SALE SHALL BE DEPOSITED IN  
22 THE GENERAL FUND OF THE COMMONWEALTH OF PENNSYLVANIA.

23 (E) AS USED IN THIS SECTION, THE TERM "LICENSED CORPORATION"  
24 SHALL INCLUDE ANY LICENSED CORPORATION AS DEFINED IN SECTION 102  
25 AND ALSO ANY FIRM, ASSOCIATION OR CORPORATION WHICH OWNS OR  
26 LEASES TO ANY LICENSED ASSOCIATION OR CORPORATION A RACE TRACK  
27 AT WHICH PARI-MUTUEL RACING IS CONDUCTED, OR ANY FIRM,  
28 ASSOCIATION OR CORPORATION WHICH PARTICIPATES IN THE MANAGEMENT  
29 OF ANY SUCH LICENSED CORPORATION.

30 ~~SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION SECTIONS~~ <—

1 ~~to read:~~

2 ~~Section 233. Monitoring of wagering on video screens.~~

3 ~~Every corporation licensed to conduct pari mutuel betting~~  
4 ~~shall display on video screens the approximate odds or~~  
5 ~~approximate will pays on each horse for each race as well as any~~  
6 ~~combination of races including, but not limited to, quinellas,~~  
7 ~~exactas, perfectas and any other combination or pool of races.~~

8 ~~NO DISPLAY OF APPROXIMATE ODDS OR APPROXIMATE WILL PAYS SHALL BE~~ <—  
9 ~~REQUIRED WHERE THE WAGER IS ON HORSES IN FOUR OR MORE RACES,~~

10 ~~SUCH AS "PICK 4, PICK 5 OR PICK 6." In addition to displaying~~  
11 ~~the amount of money wagered, the approximate odds or approximate~~  
12 ~~will pays on each horse or combination of horses shall be shown~~

13 ~~on video screens IN EACH WAGERING DIVISION. For trifectas, in~~ <—  
14 ~~lieu of odds or approximate will pays, the amount of money being~~  
15 ~~wagered on each horse to win in the trifecta pool shall be~~  
16 ~~displayed on video screens separately from any other~~

17 ~~information. The above required information shall be displayed~~  
18 ~~from the opening of bets or wagering and be continually~~  
19 ~~displayed until the wagering is closed. At least one video~~  
20 ~~screen in each wagering division shall display the amount of~~  
21 ~~money wagered on each horse involved in any trifecta pool.~~

22 ~~SECTION 234. EXPERIMENTAL SIMULCASTINGS.~~ <—

23 ~~THE STATE HARNESS RACING COMMISSION MAY, UPON REQUEST FROM A~~  
24 ~~LICENSED CORPORATION, GRANT PERMISSION ON AN EXPERIMENTAL BASIS~~  
25 ~~TO A FACILITY WHICH CONDUCTED LESS THAN 80 DAYS OF RACING PER~~  
26 ~~YEAR TO SIMULCAST INTRASTATE RACING. THE PERIOD OF EXPERIMENTAL~~  
27 ~~SIMULCASTING SHALL BE THROUGH NOVEMBER, 1984. SUCH SIMULCASTS~~  
28 ~~ARE TO BE OPERATED BY THE LICENSED CORPORATION AT THE RACE TRACK~~  
29 ~~ENCLOSURE WHERE A HORSE RACE MEETING IS BEING CONDUCTED DURING,~~  
30 ~~BETWEEN, BEFORE OR AFTER POSTED RACES FOR THAT RACING DAY. ALL~~

~~FORMS OF PARI MUTUEL WAGERING AS DESCRIBED UNDER SECTION 221  
SHALL BE ALLOWED ON HORSE RACES TO BE TELEVISED BY SIMULCASTING.  
THE STATE HARNESS RACING COMMISSION MAY PROMULGATE RULES OR  
REGULATIONS TO REGULATE THE WAGERING AND THE OPERATION OF THESE  
HORSE RACES. ALL MONEYS WAGERED BY PATRONS ON THESE HORSE RACES  
SHALL BE COMPUTED IN THE AMOUNT OF MONEY WAGERED EACH RACING DAY  
FOR PURPOSES OF TAXATION UNDER SECTION 222.~~

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

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

SECTION 216. INTERSTATE SIMULCASTINGS OF HORSE RACES.

EACH COMMISSION MAY, UPON REQUEST BY ANY LICENSED  
CORPORATION, GRANT PERMISSION FOR ELECTRONICALLY TELEVISED  
SIMULCASTS OF HORSE RACES TO BE OPERATED BY THE LICENSED  
CORPORATION AT THE RACE TRACK ENCLOSURE WHERE A HORSE RACE  
MEETING IS BEING CONDUCTED DURING, BETWEEN, BEFORE OR AFTER  
POSTED RACES FOR THAT RACING DAY. THE POSTED RACES FOR THAT  
RACING DAY SHALL INCLUDE A MINIMUM OF EIGHT LIVE RACES, EXCEPT,  
AT THOROUGHBRED TRACKS ON THE ONE DAY DESIGNATED AS BREEDERS'  
CUP EVENT DAY, THERE SHALL BE A MINIMUM OF FIVE LIVE RACES. THE  
SIMULCASTS SHALL BE LIMITED TO HORSE RACES CONDUCTED AT  
FACILITIES OUTSIDE THIS COMMONWEALTH AND TELEVISED TO RACE TRACK  
ENCLOSURES WITHIN THIS COMMONWEALTH. THE SIMULCASTS SHALL ALSO  
BE LIMITED TO THOROUGHBRED RACES DESIGNATED AS GRADE I STAKES,  
OR THE INTERNATIONAL EQUIVALENT THERETO, WITH PURSES OF AT LEAST  
\$100,000, AND; STANDARD BRED RACES WITH PURSES OF AT LEAST  
\$100,000; AND OTHER STAKES RACES WHICH HAVE, IN THE OPINION OF  
THE APPROPRIATE COMMISSION, SIGNIFICANT VALUE TO THE  
PENNSYLVANIA RACING INDUSTRY. CROSS SIMULCASTING OF THE  
AFOREMENTIONED RACES SHALL BE PERMITTED AS LONG AS THE  
PARTICULAR RACE IS AVAILABLE TO ALL RACE TRACKS IN THE



1 COMMONWEALTH WHICH ARE OPERATING LIVE RACING THAT DAY. ALL  
2 SIMULCASTS OF HORSE RACES FROM OUTSIDE THIS COMMONWEALTH SHALL  
3 ALSO COMPLY WITH THE PROVISIONS OF THE INTERSTATE HORSE RACING  
4 ACT OF 1978, 92 STAT. 1811, 15 USC 3001 ET SEQ. ALL FORMS OF  
5 PARI-MUTUEL WAGERING AS DESCRIBED UNDER SECTION 221 SHALL BE  
6 ALLOWED ON HORSE RACES TO BE TELEVISED BY SIMULCASTING. EACH  
7 COMMISSION MAY PROMULGATE RULES OR REGULATIONS TO REGULATE THE  
8 WAGERING AND THE OPERATION OF THESE HORSE RACES. ALL MONEYS  
9 WAGERED BY PATRONS ON THESE HORSE RACES SHALL BE COMPUTED IN THE  
10 AMOUNT OF MONEY WAGERED EACH RACING DAY FOR PURPOSES OF TAXATION  
11 UNDER SECTION 222.

12 ~~SECTION 4. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:~~ <—

13 ~~SECTION 216.1. TELEVISION LIMITATION.~~

14 ~~THE TELEVISING OF HORSE RACES CONDUCTED AT FACILITIES IN THIS~~  
15 ~~COMMONWEALTH SHALL BE BLACKED OUT WITHIN A 25 MILE RADIUS OF ANY~~  
16 ~~OTHER RACING FACILITY WHERE A HORSE RACE MEETING IS BEING~~  
17 ~~CONDUCTED ON THAT DAY.~~

18 ~~SECTION 235. ADDITIONAL HARNESS RACING DATES.~~

19 ~~WHENEVER A CORPORATION IS THE ONLY CORPORATION LICENSED AT A~~  
20 ~~FACILITY AND IT HAS BEEN GRANTED 150 HARNESS RACING DATES AT~~  
21 ~~THAT FACILITY AND THE 750 HARNESS RACING DATES AUTHORIZED IN~~  
22 ~~THIS ACT HAVE NOT BEEN ALLOCATED, UPON REQUEST THE STATE HARNESS~~  
23 ~~RACING COMMISSION MAY GRANT UP TO AN ADDITIONAL 50 HARNESS~~  
24 ~~RACING DATES FROM THE UNALLOCATED HARNESS RACING DATES TO THE~~  
25 ~~CORPORATION HAVING AN OWNERSHIP INTEREST AT THE FACILITY. BEFORE~~  
26 ~~THE STATE HORSE RACING COMMISSION MAY GRANT ANY ADDITIONAL~~  
27 ~~HARNESS RACING DATES, THE DEPARTMENT OF AGRICULTURE SHALL HAVE~~  
28 ~~GIVEN ITS APPROVAL.~~

29 SECTION 4. SECTION 218 OF THE ACT IS AMENDED BY ADDING <—  
30 SUBSECTIONS TO READ:

SECTION 218. PLACE AND MANNER OF CONDUCTING PARI-MUTUEL  
WAGERING.

\* \* \*

(D) A LICENSED CORPORATION SHALL NOT ACCEPT A TELEPHONE  
WAGER FROM, NOR ESTABLISH A TELEPHONE BETTING ACCOUNT FOR, ANY  
PERSON LOCATED IN OR RESIDING IN AN AREA DEFINED HEREIN AS THE  
PRIMARY MARKET AREA OF A RACE TRACK OTHER THAN THE RACE TRACK AT  
WHICH THE LICENSED CORPORATION IS CONDUCTING A RACING MEET.  
NOTHING HEREIN SHALL PROHIBIT THE LICENSED CORPORATION FROM  
ACCEPTING A TELEPHONE WAGER FROM, OR ESTABLISHING A TELEPHONE  
BETTING ACCOUNT FOR, ANY PERSON LOCATED IN OR RESIDING IN THE  
PRIMARY MARKET AREA OF THE TRACK AT WHICH THE LICENSED  
CORPORATION IS CONDUCTING A MEET, AND IF TWO TRACKS SHARE  
PRIMARY MARKET AREA AS DEFINED HEREIN, BOTH TRACKS SHALL HAVE  
EQUAL RIGHTS TO THE MARKET IN THE SHARED AREA.

(E) THE PRIMARY MARKET AREA OF A RACE TRACK, FOR PURPOSES OF  
THIS ACT, IS DEFINED AS THAT LAND AREA INCLUDED IN A CIRCLE  
DRAWN WITH THE RACE TRACK AS THE CENTER, AND A RADIUS OF 35 AIR  
MILES.

SECTION 5. SECTION 2 OF THIS AMENDATORY ACT SHALL BE  
RETROACTIVE TO ~~JULY 1, 1984~~ JUNE 28, 1984.

SECTION ~~3~~ 6. THIS ACT SHALL TAKE EFFECT IMMEDIATELY AND  
SECTION 207(E) SHALL EXPIRE ON JULY 1, 1988.

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