

Hall of the House of Representatives
84th General Assembly - First Extraordinary Session, 2003
Amendment Form

Subtitle of House Bill No. 1033

"TO RAISE ADDITIONAL TAX REVENUE BY AUTHORIZING HORSE RACING AND
GREYHOUND RACING FRANCHISEES TO CONDUCT WAGERING ON ELECTRONIC
GAMES OF SKILL."

Amendment No. 2 to House Bill No. 1033.

Amend House Bill No. 1033 as originally introduced:

Page 11, delete lines 14 through 19, and substitute the following:
"monthly basis pursuant to rules and procedures adopted by the director. It shall be the duty of a franchise holder on or before the twentieth day of each month to deliver to the director, upon forms prescribed and furnished by the director, a return under oath showing the total net wagering revenues from electronic games of skill during the preceding calendar month."

AND

Page 11, delete line 36, and substitute the following:
"201(a)(2)(F), unless a suit is filed contesting the proclamation or local election, thirty (30) days after the date of the publication of the proclamation the franchise holder located in the city, town, or county, as"

AND

Page 12, delete lines 7 and 8, and substitute the following:
"proclamation or local election, the franchise holder shall make the required prepayment thirty (30) days after the issue is finally resolved in the court"

AND

Page 12, delete line 21 through 34, and substitute the following:
"payments otherwise due from the franchise holder under § 23-113-501(a)(1). After the total amount of the first eleven (11) payments due from the franchise holder under § 23-113-501(a)(1) has been established, the director shall determine an amount due from the franchise holder as an estimated annual prepayment for the second year of operation by applying the multiplier of 1.2 to the total amount of the first eleven (11) payments due from the franchise holder. The director shall notify the franchise holder in writing



as soon as administratively feasible of the amount due as the estimated annual prepayment and the franchise holder shall make the required prepayment thirty (30) days after the date of the director's notification.

(c) The director shall determine the amount due from the franchise holder for estimated annual prepayments for the third and subsequent years of operation based on the total reported amount due from the franchise holder under § 23-113-501(a)(1) for the twelve (12) month period preceding the due date of the estimated annual prepayment multiplied by one hundred and ten percent (110%).

(d) If the prepayment required under subdivision (a) of this section is expended before the total amount of the first eleven (11) payments due from the franchise holder under § 23-113-501(a)(1) has been established, the director shall notify the franchise holder in writing as soon as administratively feasible that the franchise holder shall pay a supplemental prepayment in an amount to be determined by the Director that ensures full payment of the tax for the full twelve (12) month period. The franchise holder shall make the required supplemental prepayment thirty (30) days after the date of the director's notification.

(e) After the director has received a franchise holder's estimated annual prepayment for any year of operation, the franchise holder shall be given credit for any balance carry forward from previous prepayments made by the franchise holder. The director shall refund the franchise holder any balance over and above the required estimated annual prepayment.

(f) If a franchise holder notifies the director that it has discontinued the operation of electronic games of skill under this chapter and the franchise holder has filed all returns required by § 23-113-501, the director shall refund the balance of any prepayments made by the franchise holder under this section.

(g) The director may adopt rules and regulations to appropriately administer the prepayments and credit consistent with the provisions of this section."

The Amendment was read _____
By: Representative Jones
JDF/CDS - 050620031154
CDS574 _____ Chief Clerk