

State of Arkansas

Call Item 28

76th General Assembly

Third Extraordinary Session, 1988

HOUSE BILL 1037

By: Rep. Hinshaw AS ENGROSSED 1/28/88

"AN ACT TO AMEND ARKANSAS CODE 23-110-409 TO SPECIFY ELIGIBILITY FOR PARTICIPATION IN THE ARKANSAS RACING COMMISSION PURSE AND AWARDS FUND AND TO CLARIFY REGISTRATION OF REGISTERED ARKANSAS BRED THOROUGHBRED HORSES, BROODMARES AND STALLIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 23-110-409 is hereby amended to read as follows:

"(a) The Arkansas Racing Commission Purse and Awards Fund shall be deposited by the Commission in such banks as the Commission shall determine.

(b) (1) In order to promote and encourage the development of thoroughbred horse breeding in Arkansas with its attendant economic benefits to the State and its citizens, monies in the Arkansas Racing Commission Purse and Awards Fund are hereby classified as special revenues and shall be disburse by the Commission for purse supplements and breeders awards in accordance with a written program prepared and presented to it by the Arkansas Thoroughbred Breeders and Horsemen's Association. The franchise holder shall be solely responsible for writing the various races for each racing meet and may, but shall not be required to, write races exclusively for Arkansas bred thoroughbred horses.

(2) 'Breeders awards' may include awards to owners of registered Arkansas bred thoroughbred horses, owners of registered Arkansas thoroughbred broodmares, and owners of registered Arkansas thoroughbred stallions.

(c) 'Registered Arkansas bred thoroughbred horses', 'registered

Arkansas thoroughbred broodmare', 'registered Arkansas thoroughbred stallion', foal registration, broodmare registration and stallion registration, eligibility to participate in the Arkansas Racing Commission Purse and Awards Fund, and eligibility to participate in races that are restricted to registered Arkansas bred thoroughbred horses shall be determined and made in accordance with registration rules and regulations, including reasonable time deadlines and fee schedules, adopted by the Arkansas Thoroughbred Breeders and Horsemen's Association and approved by the Commission."

SECTION 2. The provisions (sections, sentences and phrases) of this Act are hereby declared to be severable and if any provision shall be determined illegal for any reason such determination shall not affect the validity of the remaining provisions and all remaining provisions shall continue in full force and effect.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. The development of thoroughbred horse breeding in Arkansas with its attendant economic benefits to the State and its citizens, have had a most favorable impact on the economy of the entire State and the welfare of our citizens and residents; it is imperative that the Arkansas Racing Commission be able to determine eligibility for participation in the Arkansas Racing Commission Purse and Awards Fund and in races that are restricted to registered Arkansas bred thoroughbred horses; in order to accomplish these goals essential to the welfare of the State and its citizens and residents, the amendments and purposes set forth in this Act must be effective immediately. Therefore, an emergency is hereby declared to exist, and this Act, being immediately necessary for the protection of the public peace, health and safety, shall take effect, and be in full force, immediately upon its passage and approval.

/s/ Jerry Hinshaw

