

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Representatives Allen, Parkerson, and Mullenix**

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For An Act To Be Entitled

8 *"AN ACT TO AMEND ARKANSAS CODE 23-110-405(b) CONCERNING*

9 *SIMULTANEOUSLY TELEVISED HORSE RACES; AND FOR OTHER*

10 *PURPOSES."*

11

12

Subtitle

13 *"CONCERNING SIMULCAST HORSE RACING."*

14

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

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17 *SECTION 1. Arkansas Code 23-110-405(b) is amended to read as follows:*

18 *"(b) With the prior approval of the commission, and consistent with*
19 *applicable federal law, a franchise holder may enter into agreements and*
20 *arrangements with other parties pursuant to which its patrons may wager on*
21 *races run at other race tracks which are shown live by television or otherwise*
22 *at locations on the grounds at the Arkansas race track at any time or times*
23 *during the calendar year. Such agreements and arrangements shall specify all*
24 *financial, wagering, distribution, and other details which shall govern, and,*
25 *to that end, the provisions of §§ 23-110-402 and 23-110-407, and any other*
26 *inconsistent provisions, shall not be applicable to such agreements and*
27 *arrangements. All such agreements and arrangements shall provide (i) that the*
28 *withholding from monies wagered shall be the same as provided in A.C.A. §23-*
29 *110-407(a)(1) (which pertains to live racing at the Arkansas track of the*
30 *Franchise Holder), provided, however, if the percentages withheld at a race*
31 *track in another state where the live racing being simulcast is taking place*
32 *are different, the Franchise Holder may withhold the percentages at the live*
33 *racing track or the percentages specified in A.C.A. § 23-110-407(a)(1), as the*
34 *Franchise Holder shall elect; and (ii) that the distribution of monies*
35 *withheld shall be the same as specified in A.C.A. §23-110-407(a)(2)(A) and (B)*

1 (except in (B) the percentages shall be .25% rather than .5%), and A.C.A. §23-
2 110-407(a)(3)(A) and (B), provided, however, the commission may authorize
3 distribution of simulcasting monies at a lower percentage than the percentage
4 specified in A.C.A. §23-110-407(a)(2)(A) if the commission finds that such
5 distributions in states with which the Franchise Holder_s track competes for
6 horses or patrons are lower and the Franchise Holder_s operations will be
7 adversely impacted by such lower distributions."
8

9 SECTION 2. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.
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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.
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19 SECTION 4. All laws and parts of laws in conflict with this act are
20 hereby repealed.
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22 SECTION 5. EMERGENCY. It is hereby found and determined by the General
23 Assembly that the state of Arkansas is in immediate need of additional
24 revenues to provide adequate funding for essential services required by the
25 citizens of this state; that the medicaid program is in desperate need of
26 funds; that this act is necessary to generate revenue; and that unless this
27 act goes into effect immediately, the services provided the citizens of this
28 state will be drastically curtailed. Therefore an emergency is hereby
29 declared to exist and this act being necessary for the preservation of the
30 public peace, health and safety shall be in full force and effect from and
31 after its passage and approval.
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33 /s/Rep. Allen, et al
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