

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/17/97 S4/3/97

A Bill

HOUSE BILL 2008

5 By: Representatives McGee and Ferguson
6 By: Senators Everett and Lewellen
7
8

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE 23-111-503, 23-111-505, AND
11 23-111-509 (c) AND (d) CONCERNING DISPOSITION OF MONEY
12 WAGERED AT GREYHOUND RACING AND DISTRIBUTIONS FROM
13 ADDITIONAL DAYS OF RACING; AND FOR OTHER PURPOSES."
14

Subtitle

15 "AN ACT CONCERNING DISPOSITION OF MONEY
16 WAGERED AT GREYHOUND RACING AND
17 DISTRIBUTIONS FROM ADDITIONAL DAYS OF
18 RACING."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 23-111-503 is amended to read as follows:

25 §23-111-503. Additional racing days for benefit of city general fund and
26 Division of Developmental Disabilities Services for community programs.

27 (a) The State Racing Commission is authorized to allow each dog racing
28 franchise holder to conduct three (3) additional days of racing at any dog
29 racing meet. The franchise holder shall agree that the net proceeds derived
30 from the additional days shall be credited as follows:

31 (1) One-third (1/3) to be deposited with the city treasurer or
32 collector of the city in which the dog racing track is located for credit to
33 the city general fund to be used for charitable purposes only, as determined
34 by the mayor and governing body; and

35 (2) Two-thirds (2/3) to be deposited with the State Treasurer as
36 *special revenue to be used for the sole benefit for community programs of the*

1 Department of Human Services, Division of Developmental Disabilities Services.

2 (b) Employees of the dog racing track shall be allowed to donate their
3 services for the additional days of dog racing allowed by the commission under
4 this section.

5 (c) Net proceeds derived from the additional days of dog racing shall
6 be the proceeds derived from the pari-mutuel wagering at, and admissions to,
7 the dog racing track less the cost of salaries, if any, of all employees,
8 fuel, lights, purses, taxes, and other fees and costs incurred by the
9 franchise holder in conducting the additional days of racing.

10 (d) The State Racing Commission shall establish appropriate rules and
11 regulations to assure compliance with the provisions of this section and shall
12 audit and verify all receipts and expenditures of the franchise holder in
13 determining compliance with this section.✕

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15 SECTION 2. Arkansas Code 23-111-505 is amended to read as follows:

16 ~~§23-111-505. Additional racing days for benefit of indigent patients,~~
17 ~~etc - Emergency Benefits Fund.~~

18 (a) The State Racing Commission is authorized to allow each dog racing
19 franchise holder to conduct fifteen (15) additional days of racing during each
20 twelve-month period. The additional days of racing may be divided between each
21 of the two (2) racing meets allowed by § 23-111-502 or all the additional days
22 of racing may be added to a single racing meet as determined by the Racing
23 Commission. In the event the additional days allowed by the commission fall
24 upon a Saturday or Saturdays, then the franchise holder may, at its option,
25 conduct daylight racing as authorized for a regular racing meet.

26 (b) All revenue derived from the pari-mutuel tax at the fifteen (15)
27 additional days of racing authorized by subsection (a) of this section shall
28 be deposited with the State Treasurer as special revenue for credit to the
29 ~~Indigent Patients Hospitalization Fund, to be used:~~

30 ~~—— (1) To defray the cost of hospitalization and medical services of~~
31 ~~indigent Arkansas patients under contract with the City Hospital of the City~~
32 ~~of Memphis, Tennessee;~~

33 ~~—— (2) To provide not more than twenty thousand dollars (\$20,000) per year~~
34 ~~to a private nonprofit hospital for crippled children located in Memphis,~~
35 ~~Tennessee, for providing hospitalization and medical services to indigent~~
36 ~~Arkansas children;~~

1 ~~—— (3) To provide not more than two hundred thousand dollars (\$200,000) in~~
2 ~~any fiscal year, for the support of the Crittenden County Emergency Medical~~
3 ~~Services Program benefiting medical indigents in Eastern Arkansas; and~~
4 ④Emergency Benefits Fund to be created on the books of the Treasurer of
5 State, the Auditor of State, and the Chief Fiscal Officer of the state. The
6 revenues shall be exempt from the provisions of Arkansas Code 19-5-
7 203(b)(2)(A). The revenue shall be distributed in the manner determined by
8 the Emergency Benefits Fund Committee hereby created. The committee shall be
9 composed of four (4) members. Each member of the Arkansas General Assembly
10 who represents a portion of the city in which the dog racing track is located
11 shall appoint one (1) member to the committee. If the committee allocates
12 funds for Emergency Medical Services Programs outside Crittenden County, such
13 funds shall be allocated equally among Mississippi County, Poinsett County,
14 Cross County, St. Francis County, and Lee County.

15 ~~—— (4) To provide not more than one hundred thousand dollars (\$100,000) in~~
16 ~~any fiscal year, for the support of the emergency medical services programs of~~
17 ~~Mississippi County, Poinsett County, Cross County, St. Francis County, and Lee~~
18 ~~County.~~

19 ~~—— (c) In the event the General Assembly shall appropriate moneys payable~~
20 ~~from the General Services Fund to make payments to the City Hospital of the~~
21 ~~City of Memphis, Tennessee, for hospitalization and medical services provided~~
22 ~~indigent citizens of this state, the State Treasurer shall, upon certification~~
23 ~~of the amount paid from the State General Services Fund by the Director of the~~
24 ~~Department of Finance and Administration, transfer that amount from the~~
25 ~~Indigent Patients Hospitalization Fund to the State General Services Fund.~~

26 ~~—— (d)(c)~~ The State Racing Commission is authorized to allow each dog
27 racing franchise holder to conduct two (2) additional days of racing at any
28 dog racing meet. The net proceeds derived from these additional days shall be
29 deposited with the city treasurer or collector of the city in which the dog
30 racing track is located for credit to the city general fund to be used for
31 providing assistance and relief to disaster victims, indigent persons,
32 organizations which assist such persons, and for education purposes. ✕

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34 SECTION 3. Arkansas Code 23-111-509 (c), concerning disposition of
35 wagering money, is amended to read as follows:

36 [∅](c)(1) In the calendar year 1995 and each calendar year thereafter,

1 for all racing meets conducted by the franchise holder, the franchise holder
2 shall withhold and pay to the commission for the use and benefit of the State
3 of Arkansas, as a privilege tax:

4 (A) Three percent (3%) of all moneys wagered up to and including
5 one hundred twenty-five million dollars (\$125,000,000), together with one-
6 third (1/3) of the odd cents or breaks; and

7 (B) Seven percent (7%) of all moneys wagered in excess of one
8 hundred twenty-five million dollars (\$125,000,000), together with one-third
9 (1/3) of the odd cents or breaks.

10 (2) For ~~all~~ racing performances simultaneously televised by the
11 franchise holder in calendar year 1987 and each calendar year thereafter, but
12 conducted at another race track facility, the franchise holder shall withhold
13 and pay to the commission for the use and benefit of the State of Arkansas:

14 (A) Two percent (2%) of all moneys wagered up to and including
15 three hundred fifty thousand dollars (\$350,000);

16 (B) Three percent (3%) of all moneys wagered in excess of three
17 hundred fifty thousand dollars (\$350,000), but less than or equal to five
18 hundred thousand dollars (\$500,000); and

19 (C) Six percent (6%) of all moneys wagered in excess of five
20 hundred thousand dollars (\$500,000).

21 (3) The licensee shall withhold no more than nineteen percent (19%) of
22 the total moneys wagered in simulcast racing, except when the state of the
23 host race meet allows for withholding a greater percentage; then the licensee
24 shall withhold no more than the percentage allowed by the state of the host
25 meet. ~~2~~

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27 SECTION 4. All provisions of this act of a general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 5. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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1 SECTION 6. All laws and parts of laws in conflict with this act are
2 hereby repealed.

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/s/Rep. McGee, et al

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