

As Amended by Senate Committee

Session of 2003

SENATE BILL No. 32

By Committee on Federal and State Affairs

1-21

10 AN ACT concerning parimutuel racing; relating to breakage; amending
11 K.S.A. 74-8821 and repealing the existing section.

12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 74-8821 is hereby amended to read as follows: 74-
15 8821. (a) The breakage deducted from the amounts paid to winning ticket
16 holders for each parimutuel pool shall be computed by the organization
17 licensee and disbursed as set forth in ~~subsections (b), (c) and (d)~~ *this*
18 *section*. An accounting of the amount and disposition of the breakage
19 shall be made by each organization licensee as directed by the commis-
20 sion. Except as otherwise provided by K.S.A. 74-8836, and amendments
21 thereto, the breakage on minus pools shall be calculated in multiples of
22 \$.05 rather than \$.10.

23 (b) All breakage proceeds from parimutuel wagering conducted by
24 the organization licensee on live horse races conducted by the licensee
25 shall be remitted by the licensee to the commission not later than the
26 15th day of the month following the race from which the breakage is
27 derived. The commission shall remit any such proceeds received to the
28 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
29 amendments thereto. Upon receipt of each such remittance, the state
30 treasurer shall deposit the entire amount in the state treasury to the credit
31 of the Kansas horse breeding development fund created by K.S.A. 74-
32 8829, and amendments thereto.

33 (c) *Except as provided by subsection (e)*, all breakage proceeds from
34 parimutuel wagering conducted by the organization licensee on live grey-
35 hound races conducted by the licensee shall be distributed by the licensee
36 not later than the 15th day of the month following the race from which
37 the breakage is derived as follows:

38 (1) An amount equal to 50% of the breakage shall be used at racetrack
39 facilities where derived to supplement open stakes races as approved by
40 the commission; and

41 (2) an amount equal to 50% of the breakage shall be paid as purses
42 directly to the breeders of Kansas-whelped greyhounds pursuant to rules
43 and regulations of the commission.

1 (d) All breakage proceeds from parimutuel wagering conducted by a
2 simulcast licensee on simulcast races displayed by the licensee shall be
3 distributed as provided by K.S.A. 74-8836, and amendments thereto.

4 ~~(e) If a racetrack facility closes or discontinues conducting races and~~
5 ~~there are undistributed breakage proceeds from parimutuel wagering con-~~
6 ~~ducted by the organization licensee on live greyhound races, the licensee~~
7 ~~shall distribute such proceeds equally among the owners of all greyhounds~~
8 ~~eligible to run at the racetrack facility on the day such facility was closed~~
9 ~~or such races were discontinued.~~

10 (e) **If a racetrack facility closes or discontinues conducting**
11 **races and there are undistributed breakage proceeds from pari-**
12 **mutuel wagering conducted by the organization licensee on live**
13 **greyhound races, the licensee shall distribute such proceeds to char-**
14 **itable organizations who apply to the organizational licensee. Such**
15 **proceeds shall be distributed in accordance with the licensee's char-**
16 **itable distribution guidelines. Within 30 days of such distribution,**
17 **the licensee shall file a report with the commission disclosing the**
18 **amounts of the distributions, the names of the distributees and the**
19 **date on which the distributions were made.**

20 *The provisions of this subsection shall apply to any racetrack facility*
21 *conducting races on or before October 31, 2001.*

22 Sec. 2. K.S.A. 74-8821 is hereby repealed.

23 Sec. 3. This act shall take effect and be in force from and after its
24 publication in the statute book.