

SENATE BILL No. 293

By Committee on Assessment and Taxation

3-6

1 AN ACT concerning parimutuel wagering; relating to historical horse
2 races; crediting tax revenue generated to the horse breeding
3 development fund and the horse fair racing benefit fund; amending
4 K.S.A. 2022 Supp. 74-8823 and repealing the existing section.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2022 Supp. 74-8823 is hereby amended to read as
8 follows: 74-8823. (a) There is hereby imposed a tax on the gross sum
9 wagered by the parimutuel method as follows:

10 (1) Of the total daily takeout from parimutuel pools for live horse
11 races conducted in this state, a tax at the rate of $\frac{3}{18}$;

12 (2) except as provided by subsection (a)(3), for live greyhound races
13 conducted in this state at a racetrack facility for the racing of only
14 greyhounds:

15 (A) During the first four years when racing with parimutuel wagering
16 is conducted at such facility, a tax at the rate of $\frac{3}{18}$ of the total daily
17 takeout from parimutuel pools for live greyhound races; and

18 (B) thereafter, from parimutuel pools for each live greyhound
19 performance, a tax at the rate of $\frac{3}{18}$ of the first \$400,000 wagered, $\frac{4}{18}$ of
20 the next \$200,000 wagered and $\frac{5}{18}$ of any amounts wagered exceeding
21 \$600,000;

22 (3) for live greyhound races conducted in this state at a dual racetrack
23 facility or at a racetrack facility owned by a licensee whose license
24 authorizes the construction of a dual racetrack facility:

25 (A) During the first seven years when racing with parimutuel
26 wagering is conducted at such facility, a tax at the rate of $\frac{3}{18}$ of the total
27 daily takeout from parimutuel pools for live greyhound races; and

28 (B) thereafter, from parimutuel pools for each live greyhound
29 performance, a tax at the rate of $\frac{3}{18}$ of the first \$600,000 wagered, $\frac{4}{18}$ of
30 the next \$200,000 wagered and $\frac{5}{18}$ of any amounts wagered exceeding
31 \$800,000;

32 (4) of the total daily takeout from amounts wagered in this
33 jurisdiction on simulcast races displayed in this state, a tax at the rate of
34 $\frac{3}{18}$; and

35 (5) of the total amount wagered on historical horse races, a tax at the
36 rate of 3%.

- 1 (b) The tax imposed by this section shall be ~~no~~ not less than 3% nor
2 more than 6% of the total money wagered each day at a racetrack facility.
- 3 (c) The tax imposed by this section shall be remitted to the
4 commission by each organization licensee by the next business day
5 following the day on which the wagers took place. The commission shall
6 remit any such tax moneys received to the state treasurer in accordance
7 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
8 receipt of each ~~such~~ remittance *made pursuant to subsection (a)(1)*
9 *through (4)*, the state treasurer shall deposit the entire amount in the state
10 treasury to the credit of the state racing fund created by K.S.A. 74-8826,
11 and amendments thereto, except as provided by K.S.A. 74-8838, and
12 amendments thereto. *Upon receipt of each remittance made pursuant to*
13 *subsection (a)(5), the state treasurer shall deposit the entire amount in the*
14 *state treasury and credit $\frac{1}{3}$ of the amount to the Kansas horse breeding*
15 *development fund created by K.S.A. 74-8829, and amendments thereto,*
16 *and $\frac{2}{3}$ of the amount to the horse fair racing benefit fund created by*
17 *K.S.A. 74-8838, and amendments thereto.*
- 18 (d) The commission shall audit and verify that the amount of tax
19 received from each organization licensee hereunder is correct.
- 20 (e) Nothing in this section shall be construed to impose any tax on
21 amounts wagered on electronic gaming machine games operated pursuant
22 to the Kansas expanded lottery act.
- 23 Sec. 2. K.S.A. 2022 Supp. 74-8823 is hereby repealed.
- 24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.