

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0732

SENATE APPROPRIATIONS COMMITTEE

ENGROSSED NO. **HB 1285** - 02/27/2001

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Hansen (Tom), Adelstein, Begalka, Broderick, Brown (Jarvis), Derby, Duenwald, Duniphan, Frost, Fryslie, Heineman, Hennies (Don), Hunhoff, Jaspers, Juhnke, Koistinen, Konold, Murschel, Peterson (Bill), Pitts, Pummel, Slaughter, Smidt, Teupel, Van Gerpen, and Wick and Senators Greenfield, Albers, Bogue, Brown (Arnold), Drake, Everist, McCracken, and Vitter

1 FOR AN ACT ENTITLED, An Act to clarify the purposes for which funds in the South Dakota-
2 bred racing fund and special racing revolving fund may be used and to make distributions
3 from the South Dakota-bred racing fund and the special racing revolving fund.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. The Commission on Gaming shall, on or about December 31, 2001, allocate a
6 total of four hundred fifty thousand dollars or so much thereof as is available, from the special
7 racing revolving fund or the South Dakota-bred racing fund, in amounts determined by the
8 commission, to licensees, licensed by the commission to conduct live horse racing under § 42-7-
9 68 for the purposes of providing compensation to South Dakota bred horses, and for purses
10 supplements or racing operations for the 2002 live horse racing season, provided, however, that
11 such licensees are conducting a total of not less than fourteen live horse racing days. Provided
12 further that no payment provided to such licensee may exceed thirty thousand dollars per day of

1 live horse racing. If either such licensee applies for or receives fewer live horse racing days than
2 such licensee conducted in 2001, such allocations shall be reduced proportionately.

3 Section 2. On or about July 15, 2001, the state treasurer shall transfer to the general fund one
4 million one hundred twenty-five thousand dollars (\$1,125,000) from the South Dakota-bred
5 racing fund and one million one hundred twenty-five thousand (\$1,125,000) from the special
6 racing revolving fund.

7 Section 3. That § 42-7-71 be amended to read as follows:

8 42-7-71. One-fourth of all money received by the state treasurer under this chapter from
9 licensees operating horse racing tracks shall be placed in a special revenue fund to be known as
10 the "South Dakota-bred racing fund." The fund shall be used by the commission to encourage
11 horse racing and the raising and breeding of horses in South Dakota and shall be used for the
12 purpose of providing compensation to South Dakota-bred horses by providing funds to all
13 horsetracks licensed in South Dakota, and for any other purpose provided by the Legislature.
14 However, not more than one-fourth of the moneys deposited in the South Dakota-bred racing
15 fund may be used by the commission to provide purse supplements to horsetracks for horses
16 other than South Dakota-bred horses.

17 Section 4. That § 42-7-79.1 be amended to read as follows:

18 42-7-79.1. In addition to the deductions authorized by § 42-7-79, the dog racing licensees
19 shall deduct from the total sum contributed on dog races, except contributions on dog races in
20 the win, place and show pool, an additional three and three-quarters percent on the dollars
21 contributed. The licensee ~~will~~ may retain one-quarter of one percent for capital improvements
22 on all amounts contributed and an additional three and one-half percent shall be retained by the
23 licensee for discretionary use. The special racing revolving fund shall be in the office of the state
24 treasurer to be disbursed by the commission to increase purses or for operations, or upon

1 request, funds may be granted to a political subdivision of the state for unusual or unique law
2 enforcement expenses incidental to having a race track or off-track site in that political
3 subdivision, and for any other purpose provided for by the Legislature. Funds in the South
4 Dakota-bred racing fund and the special racing revolving fund shall be disbursed by the
5 commission on warrants drawn by the state auditor on vouchers approved by the commission
6 and such funds shall be disbursed without authority of appropriation acts.