January 21, 2011

SENATE BILL No. 36

DIGEST OF SB 36 (Updated January 19, 2011 4:52 pm - DI 110)

Citations Affected: IC 4-31.

Synopsis: Horse racing permits. Provides that the horse racing commission is not required to deny a permit to a person, an association, a trust, a limited liability company, or a corporation that owns, or has one or more members or stockholders who own, an interest in any other permit issued by the commission in the same year for any other racetrack in Indiana, if the commission finds that it is in the best interests of the Indiana horse racing industry and the state to issue a permit to that person, association, trust, limited liability company, or corporation.

Effective: Upon passage.

Alting, Lanane

January 5, 2011, read first time and referred to Committee on Public Policy.
January 20, 2011, reported favorably — Do Pass.

C o p y

January 21, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 36

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-31-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Except as provided in subsection (c), the commission may issue or deny a permit to an applicant to conduct a horse racing meeting after the proper filing of:

(1) an application for a permit; and

(2) the other information required by this chapter.

The commission shall meet as soon as practicable after the filing of the application and other information for the purpose of acting on the application.

(b) The commission may deny a permit to:

(1) any applicant if denial of the permit is in the public interest;

(2) a permit holder that has defaulted in payments to the public or an employee, a vendor, a supplier, an owner, or a trainer; or

(3) the purchaser of a track from a permit holder described in subdivision (2) if defaults at that track have not been satisfied by either the seller or the purchaser.

(c) The commission shall deny a permit to:

(1) a permit holder that has defaulted in payments to the state;

(2) the purchaser of a track from a permit holder described in subdivision (1), if defaults at that track have not been satisfied by either the seller or the purchaser; or

(3) a person, an association, a trust, a limited liability company, or a corporation that owns, or has one (1) or more members or stockholders who own, an interest in any other permit issued by the commission in the same year for any other racetrack in Indiana, **unless the commission finds that it is in the best interests of the:**

(A) Indiana horse racing industry; and

(B) state;

to issue a permit to that person, association, trust, limited liability company, or corporation.

(d) The commission may not issue a permit that would allow pari-mutuel racing to be conducted at the same hour at two (2) or more locations in the same county or adjacent counties.

(e) A permit issued under this section is valid from January 1 to December 31 of the year for which it is issued. An application must be made for a renewal of a permit.

SECTION 2. **An emergency is declared for this act.**

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 36, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 36 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0.

C o p y