
SUBSTITUTE SENATE BILL 5281

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Labor, Commerce & Trade (originally sponsored by Senators Heavey, Pelz, Roach, Deccio, Kohl, West, Drew and Rasmussen)

Read first time 02/15/95.

1 AN ACT Relating to Washington thoroughbred racing; amending RCW
2 67.16.105; creating new sections; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature that
5 one-half of the money being paid into the Washington thoroughbred
6 racing fund continue to be directed to enhanced purses, and that one-
7 half of the money being paid into the fund continue to be deposited
8 into an escrow or trust account and used for the construction of a new
9 thoroughbred racing facility in western Washington.

10 **Sec. 2.** RCW 67.16.105 and 1994 c 159 s 2 are each amended to read
11 as follows:

12 (1) Licensees of race meets that are nonprofit in nature, are of
13 ten days or less, and have an average daily handle of one hundred
14 twenty thousand dollars or less shall withhold and pay to the
15 commission daily for each authorized day of racing one-half percent of
16 the daily gross receipts from all parimutuel machines at each race
17 meet.

1 (2) Licensees of race meets that do not fall under subsection (1)
2 of this section shall withhold and pay to the commission daily for each
3 authorized day of racing the following applicable percentage of all
4 daily gross receipts from all parimutuel machines at each race meet:

5 (a) If the daily gross receipts of all parimutuel machines are more
6 than two hundred fifty thousand dollars, the licensee shall withhold
7 and pay to the commission daily two and one-half percent of the daily
8 gross receipts; and

9 (b) If the daily gross receipts of all parimutuel machines are two
10 hundred fifty thousand dollars or less, the licensee shall withhold and
11 pay to the commission daily one percent of the daily gross receipts.

12 (3) In addition to those amounts in subsections (1) and (2) of this
13 section, all licensees shall forward one-tenth of one percent of the
14 daily gross receipts of all parimutuel machines to the commission daily
15 for payment to those nonprofit race meets as set forth in RCW 67.16.130
16 and subsection (1) of this section, but said percentage shall not be
17 charged against the licensees. The total of such payments shall not
18 exceed one hundred fifty thousand dollars in any one year and any
19 amount in excess of one hundred fifty thousand dollars shall be
20 remitted to the general fund. Payments to nonprofit race meets under
21 this subsection shall be distributed on a pro rata per-race-day basis
22 and used only for purses at race tracks that have been operating under
23 RCW 67.16.130 and subsection (1) of this section for the five
24 consecutive years immediately preceding the year of payment.

25 (4) In addition to those sums paid to the commission in subsection
26 (2) of this section, licensees who are nonprofit corporations and have
27 race meets of thirty days or more shall retain and dedicate: (a) An
28 amount equal to one and one-quarter percent of the daily gross receipts
29 of all parimutuel machines at each race meet to be used solely for the
30 purpose of increasing purses; and (b) an amount equal to one and one-
31 quarter percent of the daily gross receipts of all parimutuel machines
32 at each race meet to be deposited in an escrow or trust account and
33 used solely for construction of a new thoroughbred race track facility
34 in western Washington. Said percentages shall come from that amount
35 the licensee is authorized to retain under RCW 67.16.170(2). The
36 commission shall adopt such rules as may be necessary to enforce this
37 subsection. (~~The provisions of this subsection shall apply through~~
38 ~~June 1, 1995.~~)

1 (5) In the event the new race track is not constructed before
2 January 1, 2001, all funds including interest, remaining in the escrow
3 or trust account established in subsection (4) of this section, shall
4 revert to the state general fund.

5 ~~((6) Effective June 1, 1995, licensees who are nonprofit
6 corporations and have race meets of thirty days or more shall withhold
7 and pay to the commission daily for each authorized day of racing an
8 amount equal to two and one half percent of the daily gross receipts of
9 all parimutuel machines at each race meet. These percentages shall
10 come from the amount that the licensee is authorized to retain under
11 RCW 67.16.170(2) and shall be in addition to those sums paid to the
12 commission in subsection (2) of this section. The commission shall
13 deposit these moneys in the Washington thoroughbred racing fund created
14 in RCW 67.16.250.))~~

15 NEW SECTION. **Sec. 3.** On the effective date of this act, all funds
16 in the Washington thoroughbred racing fund are appropriated to the
17 Washington state horse racing commission. Expenditure of these funds
18 may be made only after approval of the Washington state horse racing
19 commission with the advice of the attorney general. Expenditures from
20 the account may be used only to benefit and support interim
21 continuation of thoroughbred racing, capital construction of a new race
22 track facility, and programs enhancing the general welfare, safety, and
23 advancement of the Washington thoroughbred racing industry.

24 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
25 preservation of the public peace, health, or safety, or support of the
26 state government and its existing public institutions, and shall take
27 effect immediately.

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