

SB90 INTRODUCED



1 SB90
2 FLKYCCC-1
3 By Senator Singleton (N & P)
4 RFD: Local Legislation
5 First Read: 04-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Greene County Racing Commission; to amend Sections 45-32-150, 45-32-150.01, 45-32-150.02, 45-32-150.06, 45-32-150.07, 45-32-150.08, 45-32-150.11, 45-32-150.12, 45-32-150.13, 45-32-150.16, and 45-32-150.20, Code of Alabama 1975, to increase the annual compensation of members of the commission; to further provide for the duties of members of the commission; to delete certain restrictions on the number of racing days authorized; to increase the authorized license fee; to establish a residency requirement as a condition for licensure; to provide Legislative intent; to further provide for the levy of a local tax on pari-mutuel wagering; to further provide for the distribution of revenues; and to repeal Section 45-32-150.09, Code of Alabama 1975, relating to the suspension or revocation of a license, and Section 45-32-150.19, Code of Alabama 1975, relating to the manipulation of racing outcomes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 45-32-150, 45-32-150.01,



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29 45-32-150.02, 45-32-150.06, 45-32-150.07, 45-32-150.08,
30 45-32-150.11, 45-32-150.12, 45-32-150.13, 45-32-150.16, and
31 45-32-150.20, Code of Alabama 1975, are amended to read as
32 follows:

33 "§45-32-150

34 (a) The Greene County Racing Commission is ~~hereby~~
35 created and established and is vested with the powers and
36 duties specified in this part, and all other powers necessary
37 and proper to enable it to execute fully and effectually the
38 purposes of this part. The official name of the commission
39 shall be Greene County Racing Commission, the same being
40 sometimes referred to herein as the racing commission or the
41 commission.

42 (b) The commission shall consist of three persons who
43 shall be appointed by the ~~Governor~~ legislative delegation that
44 represents Greene County in the House and the Senate for the
45 State of Alabama. Each ~~such~~ member shall hold office for a
46 term of ~~eight~~three years from the effective date of the
47 appointment; ~~provided, however, the term of office of the~~
48 ~~present three commissioners shall expire three years after~~
49 ~~their last appointment~~.

50 (c) If a vacancy occurs for any reason, then that
51 position shall be filled for the unexpired term and that
52 commissioner shall be chosen in the same manner as other
53 commissioners are appointed.

54 (d) All books, records, maps, documents, and papers
55 shall constitute public records, and shall be available for
56 copying, examination, and inspection during all normal



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57 business hours by any agency, official, or personnel."

58 "§45-32-150.01

59 (a) The members of the commission shall be qualified
60 electors of Greene County and not less than 21 years of age,
61 who ~~shall~~ have resided in the State of Alabama for a period of
62 not less than five years next preceding their appointment.

63 Each commissioner shall take the same constitutional oath of
64 office as other county officers, and shall give bond payable
65 to the county in the amount of five thousand dollars (\$5,000),
66 conditioned that he or she shall faithfully and properly
67 perform the duties of his or her office. The premiums on
68 ~~such~~the bonds shall be paid by the commission. The commission
69 may employ ~~such assistance~~as many assistants and employees as
70 may be necessary who shall be paid out of funds deposited in
71 the county treasury to the credit of the racing commission.

72 (b) A member of the racing commission may not be an
73 official member of any board of directors, or person
74 financially interested in any race track, pari-mutuel license,
75 or race meeting licensed by the commission, ~~nor shall he or~~
76 ~~she race dogs in any race meeting licensed by the commission.~~

77 (c) An individual member of the commission or any
78 officer, employee, or agent of the commission shall not be
79 held personally liable for any liability, loss, damage, or
80 expense suffered by any person as the result of any action
81 taken by the commission, unless the liability, loss, damage,
82 or expense arises out of or results from the willful
83 misconduct or wrongdoing of the member, officer, employee, or
84 agent."



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85 "§45-32-150.02

86 (a) The qualifications and manner of appointment of
87 members of the Greene County Racing Commission shall be set by
88 local law. The salary or other compensation of a member of the
89 Greene County Racing Commission shall be set by the local
90 legislative delegation that represents Greene County in the
91 state Legislature.~~The compensation of each member of the~~
92 ~~commission shall be twenty-five thousand dollars (\$25,000)~~
93 ~~annually. Each commissioner who attends a racing event or~~
94 ~~performs the duties required by this part, at the facility,~~
95 ~~shall receive an additional fifty dollars (\$50) per day.~~

96 (b) One member of the commission shall be in attendance
97 or on call to cover each 24-hour pari-mutuel day~~required to be~~
98 ~~in attendance at each racing event.~~

99 (c) Each member of the Greene County Racing Commission
100 shall be paid at the same rate as any other employee of the
101 Greene County Commission for attending any out-of-town meeting
102 on official business of the Greene County Racing Commission.

103 (d) The~~above~~ compensation and other sums required to
104 be paid under this section shall be paid out of the funds ~~in~~
105 ~~the county treasury deposited to the credit of~~collected by the
106 Greene County Racing Commission and shall be paid to the
107 commissioners in the same manner as the compensation of other
108 county officers is paid."

109 "§45-32-150.06

110 Any person, association, or corporation desiring to
111 operate a racetrack or pari-mutuel license in the county,
112 shall have the right, subject to this part, to hold and



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113 conduct one or more racing meetings at the track each year,
114 ~~provided that no such license shall be granted to any person,~~
115 ~~association, or corporation, or to any track, for a period~~
116 ~~including more than 313 racing days in any one year.~~ The
117 racing days shall include the charity days as provided in
118 Section 45-32-150.21 for the racetrack."

119 "§45-32-150.07

120 ~~No race or racing shall be permitted on Sunday.~~ No
121 ~~person~~ individual under 18 years of age ~~shall~~ may be employed
122 in any manner about the race track or pari-mutuel license
123 ~~except as exercise boys and grooms; nor shall persons under 18~~
124 ~~years of age~~ or be permitted to attend any race."

125 "§45-32-150.08

126 ~~(a) On or before the first day of December of each~~
127 ~~year,~~ Any person, association, or corporation possessing
128 the qualifications prescribed in this part shall have the
129 right to apply to the racing commission for a permit or
130 license to conduct race meetings and racing under this part.

131 ~~(b) On or before the first day of January of each~~
132 ~~year,~~ Within 30 days after the receipt of any ~~such~~ application
133 under this section, the commission shall convene to consider
134 and act upon all permits or licenses ~~applied~~ for which an
135 application has been received.

136 ~~(c)~~ Approved permits or licenses shall be granted for a
137 period of not more than 10 years from the date of issuance and
138 shall set forth, in addition to any other information
139 prescribed by the commission, the name of the licensee, the
140 location of the race track or pari-mutuel license, duration of



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141 the race meeting, and the kind of racing desired to be
142 conducted and shall show the receipt by the commission of a
143 license fee set by the commission, ~~the setting of which is~~
144 ~~hereby authorized, provided, however, the license fee shall~~
145 ~~not exceed one thousand dollars (\$1,000) annually.~~

146 (d) The fee for the license shall be established by the
147 commission. The annual license fee may not exceed twenty-five
148 thousand dollars (\$25,000) or, for multi-year contracts, not
149 more than twenty-five thousand dollars (\$25,000) for each year
150 of the multi-year contract.

151 (e) No ~~such~~ license issued under this section shall be
152 transferable, nor shall it apply to any other place, track, or
153 enclosure, except ~~the one specified in this license~~with the
154 approval of the commission.

155 ~~(1) (f) The commission shall not issue any licenses~~
156 ~~which would permit any two race tracks in the county to~~
157 ~~operate on the same racing days. Further, after the first~~
158 ~~license has been issued to the licensee, all subsequent~~
159 ~~applications for~~ The commission may issue no more than two
160 racetrack or pari-mutuel licenses.

161 (g) When applying to renew a license, by a permit
162 holder the application shall be accompanied by proof, in ~~such~~ a
163 form as the commission may require, that the licensee still
164 possesses the qualifications set out in this part. ~~Such~~ The
165 application for renewal of ~~licenses~~ a license shall be granted
166 upon the same terms and conditions as previously issued and
167 shall not be denied except for due cause.

168 (h) An application for a license to operate a racetrack



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169 or pari-mutuel pool shall only be granted if the applicant
170 meets the following:

171 (1) The applicant is a corporation, association,
172 company, partnership, sole proprietorship, individual, or
173 other legal entity that has been incorporated, organized, or
174 otherwise established in this state and currently holds a
175 racetrack or pari-mutuel license immediately preceding the
176 date on which the license is issued.

177 (2) If the applicant is a corporation, association,
178 company, partnership, sole proprietorship, or other legal
179 entity, the applicant has been incorporated, organized, or
180 otherwise established in this state for at least five years
181 and its managing member or majority officer has been a
182 resident of this state for at least five years immediately
183 preceding the date on which the license is issued.

184 (3) If the applicant is an individual, the applicant
185 has been a resident of this state for at least five years
186 immediately preceding the date on which the license is issued.

187 ~~(2) (i) Seventy-five~~ To the best of a licensee's ability,
188 75 percent of the employees of the track or tracks shall be
189 bona fide resident citizens of Greene County, Alabama."

190 "§45-32-150.11

191 (a) The commission shall have the power to grant,
192 refuse, suspend, or withdraw licenses to all persons connected
193 with race tracks, including ~~gate keepers,~~ announcers, ushers,
194 ~~starters,~~ officials, ~~drivers, dog owners, agents, trainers,~~
195 ~~grooms, stable foremen, exercise boys, veterinarians,~~ valets,
196 sellors of racing forms or bulletins, and attendants in



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197 connection with the wagering machines, pursuant to ~~such~~ the
198 rules ~~and regulations as~~ adopted by the commission ~~may adopt~~
199 and upon the payment of a license fee as fixed and determined
200 by the commission in accordance with the position and
201 compensation of such person.

202 (b) Any license may be revoked by the commission, at
203 its discretion, and any person whose license is revoked shall
204 be ineligible to participate in such occupation connected with
205 racing unless the license is returned by the commission with
206 permission to operate thereunder. The commission may deny or
207 revoke a license to any person who has been refused or denied
208 a license by any other state racing commission or racing
209 authority.

210 (c) Upon a licensee's willful violation of this part or
211 any rule of the commission, the commission may do either of
212 the following:

213 (1) Suspend or revoke the license of the licensee.

214 (2) Assess a fine against the licensee of not more than
215 one thousand dollars (\$1,000) for each offense."

216 "§45-32-150.12

217 (a) The commission shall make rules governing,
218 permitting, and regulating the wagering on dog races under the
219 form of mutuel wagering by patrons known as pari-mutuel
220 wagering, which method shall be legal to the extent that and
221 so long as, the same is carried on and conducted strictly in
222 conformity with this part, and not otherwise. Only the
223 persons, associations, or corporations receiving a license
224 from the commission shall have the right or privilege to



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225 conduct this type of wagering and the licenses shall restrict
226 and confine this form of wagering to a space within the race
227 meeting grounds. All other forms of wagering on the result of
228 dog races shall continue to be illegal, and any or all
229 wagering outside of the enclosure of such races, where such
230 races shall have been licensed by the commission shall be
231 illegal.

232 (b) No person or corporation shall directly or
233 indirectly purchase pari-mutuel tickets or participate in the
234 purchase of any part of a pari-mutuel pool for another for
235 hire or for any gratuity and no person shall purchase any part
236 of a pari-mutuel pool through another, wherein he or she gives
237 or pays directly or indirectly such other person anything of
238 value. Any person violating this section shall be deemed
239 guilty of a misdemeanor, and, upon conviction in a court of
240 competent jurisdiction, shall be punished by a fine of not
241 more than five hundred dollars (\$500), or by imprisonment not
242 to exceed six months, or both fine and imprisonment in the
243 discretion of the court.

244 (c) In addition to other rules and regulations that may
245 be ~~promulgated~~adopted by the racing commission, the following
246 shall be complied with by the licensee or operator of the race
247 plant and employees thereof.:

248 ~~(1) A duly licensed veterinarian shall be on the~~
249 ~~grounds at weighing time and make examination of the physical~~
250 ~~condition of each greyhound, and any dog not considered to be~~
251 ~~in good physical condition, shall be reported to the presiding~~
252 ~~official.~~



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253 ~~(2)~~ (1) An adequate security force shall be employed as
254 prescribed by the racing commission. Members of security force
255 shall have the same powers as other law enforcement officers
256 of the county while performing their duties on the premises of
257 the racetrack.

258 ~~(3)~~ (2) Public liability insurance shall be carried by
259 the licensee or operator in an amount and with a company
260 approved by the racing commission.

261 ~~(4)~~ (3) A pari-mutuel ticket shall not be sold to an
262 individual who is visibly inebriated.

263 ~~(5) The racing operator is authorized to open the
264 Greene County Racetrack for business and to conduct live
265 greyhound racing and or televised horse or greyhound racing
266 and pari-mutuel wagering during the hours as it deems
267 desirable, however in no event shall the racing commission be
268 authorized to allow live greyhound racing or televised horse
269 or greyhound racing, or both, and pari-mutuel wagering thereon
270 to be conducted after 2:00 AM on Sunday; provided that the
271 racing operator shall not conduct any live racing event at the
272 Greene County Racetrack before 10:00 AM, nor shall it present
273 any televised racing event before 8:00 AM with the hour to be
274 determined according to the time then applicable in Alabama.
275 If the racing operator keeps the Greene County Racetrack open
276 for business until midnight on any day, whether conducting
277 pari-mutuel wagering on live racing or televised racing, or
278 both, the racing operator may continue all or any of its
279 operations past midnight for not exceeding the first two hours
280 of the following day, even if the following day is not a day~~



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281 ~~on which the Greene County Racetrack is scheduled to be open~~
282 ~~for business as a racing day permitted under this part, and~~
283 ~~the time, not exceeding two hours, for which the operations of~~
284 ~~the racetrack are continued into the following day shall not~~
285 ~~be counted as a racing day or any part thereof against the~~
286 ~~limit of racing days permitted the racing operator in any one~~
287 ~~year. A pari-mutuel ticket shall not be sold to an individual~~
288 ~~who is visibly inebriated.~~

289 ~~(6)~~ (4) Notwithstanding the provisions of this part and
290 any rules ~~and regulations~~ of the racing commission now in
291 effect, there shall be no limit imposed upon the number of
292 races which may be conducted within a single racing program."

293 "§45-32-150.13

294 (a) Every licensee conducting race meetings under this
295 part, shall pay to the ex-officio treasurer of the racing
296 commission, for the use of the commission, a tax in an amount
297 equal to four percent of the total contributions to all
298 simulcast pari-mutuel pools conducted or made on any race
299 track or pari-mutuel licensee ~~licensed~~ under this part. The
300 commission of a licensee on a pari-mutuel pool shall in no
301 event exceed 18 percent of the amount contributed to the
302 pari-mutuel pool, which amount shall include the four percent
303 tax heretofore provided. After the deduction of the four
304 percent for the use of the commission and the percentage
305 commission of the licensee, the remainder of the total
306 contributions to each pool shall be divided among and
307 redistributed to the contributors to such pools betting on the
308 winning dog. The amount of each redistribution for each



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309 winning bet placed shall be determined by dividing the total
310 amount remaining in the pool after the deductions hereinabove
311 provided for by the number of bets placed on the winning dog.
312 Each redistribution shall be made in a sum equal to the next
313 lowest multiple of 10. The licensee is entitled to retain the
314 odd cents of all redistributions to be known as the breaks to
315 the dime, and all monies represented by any unclaimed,
316 uncashed, or abandoned pari-mutuel tickets known as outs
317 money. Under the pari-mutuel system of wagering herein
318 provided, the licensee shall be permitted to provide separate
319 pools for bets to win, place, and show and also a daily double
320 pool, a quiniela pool, double quiniela pool, trifecta pool,
321 and such other bets and pools as the commission may from time
322 to time allow. Each pool shall be redistributed separately as
323 herein provided. Should there be no ticket bet on the winning
324 dog, the entire pool shall be divided among the holders of
325 tickets on the dog running next in line until the pool has
326 been redistributed to the contributors. The licensee shall be
327 required to use a totalizator machine to record the wagering
328 and compute the odds. Rules ~~and regulations~~ governing the
329 operation of each of the pools shall be set out in book form
330 by the racing commission. ~~The licensee shall collect from each~~
331 ~~person attending the race meeting under this part 15 percent~~
332 ~~of the established admissions price or ten cents (\$.10),~~
333 ~~whichever sum is greater, as an admission tax. Licensees shall~~
334 ~~make payment of such taxes to the ex-officio treasurer of the~~
335 ~~racing commission every tenth calendar day of any and every~~
336 ~~race meeting, which payment shall be accompanied by a report~~



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337 ~~on the races covered by such report and such other information~~
338 ~~as the commission may require.~~ Every license issued by the
339 commission shall contain the terms, conditions, provisions,
340 percentage commissions of licensee, and tax as set forth in
341 this section, which such terms, conditions, provisions,
342 percentage commission of licensee, and tax shall not be
343 altered or changed during the term of such license without the
344 mutual consent of the commission and licensee.

345 (b) Every licensee conducting historical horse racing
346 under this part shall pay to the ex-officio treasurer of the
347 racetrack commission, for the use of the commission, a tax in an
348 amount equal to 10 percent of the total contributions less
349 prizes and promotions paid to winners from all historical
350 horse racing pari-mutuel pools conducted or made on any
351 racetrack or pari-mutuel licensee under this part. The tax may
352 be adjusted as determined necessary by the commission but
353 shall not exceed 15 percent."

354 "§45-32-150.16

355 All fees, commissions, taxes, and other monies,
356 including fines and forfeitures, received under this part
357 shall be paid to the ~~Treasurer of Greene County and deposited~~
358 ~~by the treasurer in the county treasury to the account of~~
359 ~~the~~ ex-officio Treasurer of the Greene County Racing Commission
360 and distributed by and through the Greene County Racing
361 Commission. All such monies remaining, after payment of
362 expenses incurred in the administration of this part,
363 including the payment of the salaries and expenses of the
364 members and employees of this commission, shall be distributed



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365 on a quarterly basis as follows:

366 (1) There shall be distributed to the Greene County
367 Commission an amount not to exceed ~~two hundred thousand~~
368 ~~dollars (\$200,000)~~ fifty thousand dollars (\$50,000) per year:

369 a. To pay principal of and interest on bonds, warrants,
370 or other securities at any time thereafter issued by the
371 Greene County Commission for the purpose of providing and
372 equipping the existing jail facility; or constructing new jail
373 facilities and renovating, improving, and equipping existing
374 jail facilities.

375 b. To enable the county to make lease rental payments
376 to any public corporation in an amount sufficient to retire
377 bonds or other securities issued by such public corporation
378 for the purpose of providing funds to pay cost of acquiring,
379 providing, construction, and equipping a new jail facility;
380 renovating, improving, and equipping the existing jail
381 facility; or constructing new jail facilities and renovating
382 existing jail facilities, or any combination thereof.

383 c. To pay principal of and any interest on bonds,
384 warrants, or other securities at any time hereafter issued by
385 the Greene County Commission for the purpose of providing
386 funds to pay costs of acquiring, providing, constructing, and
387 equipping a new county courthouse; and renovating, improving,
388 and equipping the existing county courthouse.

389 d. To enable the county to make lease rental payments
390 to any public corporation in an amount sufficient to retire
391 bonds or other securities issued by such public corporation
392 for the purpose of providing funds to pay costs of acquiring,



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393 providing, construction, and equipping a new county
394 courthouse; renovating, improving, and equipping the existing
395 county courthouse; or acquiring, providing, constructing, and
396 equipping a new county courthouse and renovating, improving,
397 and equipping the existing county courthouse or any
398 combination thereof. At such time as the principal and
399 interest bonds, warrants, or other securities heretofore
400 mentioned are satisfied, then the sum shall be prorated
401 equally as provided in the following subdivisions (2), (3),
402 (4), and (5).

403 The balance is to be distributed as follows:

404 (2) Twenty-five percent ~~of the monies shall be~~
405 ~~appropriated~~ to the municipalities of Greene County on a per
406 capita basis according to the most recent population figures
407 used by the federal government for the purpose of revenue
408 sharing, or if these figures are not available, the most
409 recent federal decennial census shall be used.

410 (3) ~~Five~~ Seven percent to the Greene County Hospital
411 Board.

412 (4) Thirty percent ~~of the monies shall be appropriated~~
413 to the Greene County Board of Education.

414 (5) One percent to the E-911 system.

415 (6) Two percent to the Greene County Industrial
416 Development Authority to be used first for the development and
417 provision of natural gas to the Crossroads of American
418 Industrial Park.

419 (7) One percent for the maintenance or provision of a
420 county ambulance service.



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421 ~~(5) (8) Forty~~Thirty-four percent ~~of the monies shall be~~
422 ~~appropriated~~ to the General Fund of Greene County to be
423 allocated and spent in the following prescribed manner:

424 a. ~~Fifty-five and one-half~~Forty percent ~~of this amount~~
425 shall remain unearmarked and may be spent by the county
426 commission in any manner, provided by law, for the benefit of
427 the citizens of Greene County, ~~by the county governing body~~
428 ~~thereof.~~

429 b. Ten percent to ~~be used by~~ the county ~~governing~~
430 ~~body~~commission ~~to upgrade~~for law enforcement purposes in the
431 county.

432 c. Fourteen percent for the Greene County fire
433 departments.

434 ~~e. Eight percent for the maintenance of a county~~
435 ~~ambulance service.~~

436 d. ~~Two~~Six percent for the establishment and maintenance
437 of day care centers within the county.

438 e. ~~Three~~Four and one-half percent to ~~be appropriated~~
439 ~~to~~ the Greene County Library Association for the upgrading of
440 the library system.

441 f. ~~One~~Two percent to ~~be appropriated to~~ the Community
442 Services Programs of Tuscaloosa-Bibb Counties, Incorporated,
443 to be used for assistance to low income residents of Greene
444 County.

445 g. Two percent to ~~be appropriated to~~ the West Alabama
446 Mental Health Center, Incorporated, to be used for mental
447 health services within Greene County.

448 h. ~~One~~Two percent to ~~be appropriated to the Greene~~



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449 ~~County Retired Senior Volunteer Program (RSVP)~~ Woman to Woman,
450 Incorporated.

451 i. ~~Two~~ Three and one-half percent to be appropriated to
452 the Society of Folk Arts and Culture, Incorporated, for
453 culture and youth development.

454 j. ~~One~~ Two percent to ~~be appropriated to the Greene~~
455 ~~County Commission to~~ be used as follows:

456 1. One-third of the ~~one~~ two percent ~~thereof~~ to be used
457 by the county commission in cultural and historical
458 preservation.

459 2. One-third of the ~~one~~ two percent ~~thereof~~ to the
460 Greene County Historical Society for their use in restoring
461 and preserving historic sites and buildings in the county.

462 3. One-third of the ~~one~~ two percent ~~thereof~~ to the
463 Alabama Civil Rights Educational Freedom Museum, Incorporated.

464 k. ~~Two~~ Three percent to the Greene County Health
465 Department to be used for general health care in Greene County
466 and to augment the Women, Infants, and Children (WIC) and
467 related health programs in Greene County.

468 1. ~~Three~~ Four percent to be appropriated to the Parks
469 and Recreation Board. No more than 15 percent of the three
470 percent thereof shall be used for maintenance and development
471 of the Greene County Golf Course.

472 m. Four and one-half percent to Greene County Community
473 Improvement Association for the construction, renovation, and
474 operation of community centers in Tishabee, Clinton,
475 Dollarhide, Knoxville, Mantua, and Mt. Hebron. When the
476 foregoing facilities have been constructed and renovated in



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477 these communities, then the funds shall be designated for the
478 general use and operations of the Greene County Community
479 Improvement Association for the construction of additional
480 community centers and the operation of community centers in
481 Greene County.

482 n. One and three-quarters percent to be appropriated to
483 Branch Heights.

484 o. Three-quarters percent to be appropriated to the
485 county department of human resources.

486 ~~p. One and one-half percent to be appropriated to the~~
487 ~~E-911 system."~~

488 "§45-32-150.20

489 ~~(a) It shall be unlawful for any person to transmit or~~
490 ~~communicate to another by any means whatsoever the results,~~
491 ~~changing odds, track conditions, or any other information~~
492 ~~relating to any greyhound race from any race track in this~~
493 ~~county, between the period of time beginning one hour prior to~~
494 ~~the first race of the day and ending 30 minutes after the~~
495 ~~posting of the official results of each race, as to that~~
496 ~~particular race, except that this period may be reduced to~~
497 ~~permit the transmitting of the results of the last race each~~
498 ~~day not sooner than 15 minutes after the official posting of~~
499 ~~such results. Provided, however, that the commission may, by~~
500 ~~rule, permit the immediate transmission by radio, television,~~
501 ~~or press wire of any pertinent information concerning feature~~
502 ~~aces.~~

503 ~~(b)~~ (a) It shall be unlawful for any person to transmit
504 by any means whatsoever racing information to any other



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505 person, or to relay the same to any other person by word of
506 mouth, by signal, or by use of telephone, telegraph, radio, or
507 any other means, when the information is knowingly used or
508 intended to be used for illegal gambling purposes, or in
509 furtherance of such gambling purposes.

510 (b) No license shall be issued which would allow any
511 race track or pari-mutuel licensee in the county to operate on
512 the same day.

513 (c) Any person violating this section shall be guilty
514 of a felony and, upon conviction, shall be imprisoned in the
515 state penitentiary for not less than one year nor more than 10
516 years, or shall be fined not less than one thousand dollars
517 (\$1,000) nor more than five thousand dollars (\$5,000), or
518 both, in the discretion of the court."

519 Section 2. (a) The Legislature hereby finds and
520 declares that a computerized machine, which replays actual
521 historical horse races and allows pari-mutuel wagering
522 thereon, is already a permissible lawful activity at each of
523 the four pari-mutuel wagering racetracks in the State of
524 Alabama. The Legislature hereby further finds and declares
525 that a uniform local tax on the handle from pari-mutuel
526 wagering on these historical horse racing computerized
527 machines is necessary for the licensed racetrack and
528 pari-mutuel licenses located in Greene County so that such
529 racetrack and pari-mutuel licenses can be competitive with the
530 other racetracks and pari-mutuel licenses located in the State
531 of Alabama.

532 (b) For purposes of this act, pari-mutuel wagering on



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533 historical horse racing computerized machines may be conducted
534 without regard to any of the following: (i) The type of
535 graphics on the machine used to conduct the activity; (ii)
536 whether the patron chooses a specific horse upon which to
537 wager; and (iii) whether the patron watches all or part of the
538 historical race.

539 (c) The local tax on pari-mutuel wagering on historical
540 horse races on these computerized machines at the Greene
541 County racetrack and other pari-mutuel licenses shall be
542 calculated at a rate up to 15 percent and the state tax rate
543 shall be levied at one percent and shall be collected,
544 administered, and distributed in the same manner and on the
545 same terms as are applicable to the local pari-mutuel tax on
546 live greyhound racing conducted at the Greene County racetrack
547 and pari-mutuel licenses, provided that the total handle less
548 prizes paid to winners from pari-mutuel wagering of historical
549 horse races on these computerized machines shall be separately
550 calculated from any other racing handle, live or simulcast.

551 (d) It is the intent of the Legislature in assessing a
552 state and local tax that the tax shall be in lieu of any other
553 tax on pari-mutuel wagering on historical horse races on these
554 computerized machines that may otherwise be imposed by law,
555 including, but not limited to, any tax assessed pursuant to
556 Sections 45-32-151.02, 40-23-2, 40-23-61, and 40-12-222, Code
557 of Alabama 1975.

558 Section 3. The following sections are repealed:

559 (1) Section 45-32-150.09, Code of Alabama 1975,
560 relating to the suspension or revocation of licenses.



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561 (2) Section 45-32-150.19, Code of Alabama 1975,
562 relating to the manipulation of race outcomes.
563 Section 4. This act shall become effective immediately.