

**SB133 INTRODUCED**



1 SB133  
2 NRXWITT-1  
3 By Senator Singleton (N & P)  
4 RFD: Local Legislation  
5 First Read: 13-Jan-26



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2  
3

4 A BILL  
5 TO BE ENTITLED  
6 AN ACT

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26                   Section 1. Sections 45-32-150, 45-32-150.01,  
27   45-32-150.02, 45-32-150.06, 45-32-150.07, 45-32-150.08,  
28   45-32-150.11, 45-32-150.12, 45-32-150.13, 45-32-150.16, and



29 45-32-150.20, Code of Alabama 1975, are amended to read as  
30 follows:

31 "§45-32-150

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

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

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

52 (d) All books, records, maps, documents, and papers  
53 shall constitute public records, and shall be available for  
54 copying, examination, and inspection during all normal  
55 business hours by any agency, official, or personnel."

56 "§45-32-150.01



## **SB133 INTRODUCED**

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

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

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

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

"§45-32-150.02

(a) The qualifications and manner of appointment of



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

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

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

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

107               "§45-32-150.06

108               Any person, association, or corporation desiring to  
109       operate a racetrack or pari-mutuel license in the county,  
110       shall have the right, subject to this part, to hold and  
111       conduct one or more racing meetings at the track each year,  
112       ~~provided that no such license shall be granted to any person,~~



113 ~~association, or corporation, or to any track, for a period~~  
114 ~~including more than 313 racing days in any one year.~~ The  
115 racing days shall include the charity days as provided in  
116 Section 45-32-150.21 for the racetrack."

117 "§45-32-150.07

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

123 "§45-32-150.08

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

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

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



141 license fee set by the commission, ~~the setting of which is~~  
142 ~~hereby authorized, provided, however, the license fee shall~~  
143 ~~not exceed one thousand dollars (\$1,000) annually.~~

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

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

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

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

166 (h) An application for a license to operate a racetrack  
167 or pari-mutuel pool shall only be granted if the applicant  
168 meets the following:



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

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

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

185        ~~(2)(i) Seventy-five~~ To the best of a licensee's ability,  
186        75 percent of the employees of the track or tracks shall be  
187        bona fide resident citizens of Greene County, Alabama."

188        "§45-32-150.11

189        (a) The commission shall have the power to grant,  
190        refuse, suspend, or withdraw licenses to all persons connected  
191        with race tracks, including gate keepers, announcers, ushers,  
192        ~~starters, officials, drivers, dog owners, agents, trainers,~~  
193        ~~grooms, stable foremen, exercise boys, veterinarians, valets,~~  
194        sellers of racing forms or bulletins, and attendants in  
195        connection with the wagering machines, pursuant to such the  
196        ~~rules and regulations as adopted by the commission may adopt~~



197 and upon the payment of a license fee as fixed and determined  
198 by the commission in accordance with the position and  
199 compensation of such person.

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

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

211       **(1) Suspend or revoke the license of the licensee.**  
212       **(2) Assess a fine against the licensee of not more than**  
213 **one thousand dollars (\$1,000) for each offense."**

214       "§45-32-150.12

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



225 meeting grounds. All other forms of wagering on the result of  
226 dog races shall continue to be illegal, and any or all  
227 wagering outside of the enclosure of such races, where such  
228 races shall have been licensed by the commission shall be  
229 illegal.

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

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

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

251 ~~(2)~~(1) An adequate security force shall be employed as  
252 prescribed by the racing commission. Members of security force



253 shall have the same powers as other law enforcement officers  
254 of the county while performing their duties on the premises of  
255 the racetrack.

256 ~~(3)~~ (2) Public liability insurance shall be carried by  
257 the licensee or operator in an amount and with a company  
258 approved by the racing commission.

259 ~~(4)~~ (3) A pari-mutuel ticket shall not be sold to an  
260 individual who is visibly inebriated.

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



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

287       ~~(6)~~ (4) Notwithstanding the provisions of this part and  
288 any rules ~~and regulations~~ of the racing commission now in  
289 effect, there shall be no limit imposed upon the number of  
290 races which may be conducted within a single racing program."

291       "§45-32-150.13

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



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



337 commission shall contain the terms, conditions, provisions,  
338 percentage commissions of licensee, and tax as set forth in  
339 this section, which such terms, conditions, provisions,  
340 percentage commission of licensee, and tax shall not be  
341 altered or changed during the term of such license without the  
342 mutual consent of the commission and licensee.

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

352 "§45-32-150.16

353 (a) All fees, commissions, taxes, and other monies,  
354 including fines and forfeitures, received under this part  
355 shall be paid to the ~~Treasurer of Greene County and deposited~~  
356 ~~by the treasurer in the county treasury to the account of~~  
357 ~~the~~ ex-officio Treasurer of the Greene County Racing Commission  
358 and distributed by and through the Greene County Racing  
359 Commission. All such monies remaining, after payment of  
360 expenses incurred and retention of necessary operational  
361 funding in the administration of this part, including the  
362 payment of the salaries and expenses of the members and  
363 employees of this commission, ~~shall~~may be distributed on a  
364 quarterly basis as follows:



365 (1) ~~There shall be distributed to~~ To the Greene County  
366 Commission, an amount not to exceed ~~two hundred thousand~~  
367 ~~dollars (\$200,000)~~ forty thousand dollars (\$40,000) per year:

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

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

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

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



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

402 The balance is to be distributed as follows:

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

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

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

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

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

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

420 ~~(5)~~(8) ~~Forty~~Thirty-four percent ~~of the monies shall be~~



421 ~~appropriated~~ to the General Fund of Greene County to be  
422 allocated and spent in the following prescribed manner:

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

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

431 c. Fifteen percent for the Greene County fire  
432 departments.

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

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

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

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

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

447 h. ~~One~~Three percent to ~~be appropriated to~~ the Greene  
448 County Retired Senior Volunteer Program (RSVP) Woman to Woman,



449 Incorporated.

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

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

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

457           2. ~~One-third of the onej. One percent thereof to the  
458 Greene County Historical Society for their use in restoring  
459 and preserving historic sites and buildings in the county.~~

460           3. ~~One-third of the onek. One percent thereof to the  
461 Alabama Civil Rights Educational Freedom Museum, Incorporated.~~

462           k. ~~Two~~1. Three percent to the Greene County Health  
463 Department to be used for general health care in Greene County  
464 and to augment the Women, Infantsl and Children (WIC) and  
465 related health programs in Greene County.

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

470           m.n. Four and one-half percent to Greene County  
471 Community Improvement Association for the construction,  
472 renovation, and operation of community centers in Tishabee,  
473 Clinton, Dollarhide, Knoxville, Mantua, and Mt. Hebron. When  
474 the foregoing facilities have been constructed and renovated  
475 in these communities, then the funds shall be designated for  
476 the general use and operations of the Greene County Community



477 Improvement Association for the construction of additional  
478 community centers and the operation of community centers in  
479 Greene County.

480 n.o. One and three-quarters percent to be appropriated  
481 to Branch Heights.

482 e.p. Three-quarters percent to be appropriated to the  
483 county department of human resources.

484 p. One and one-half percent to be appropriated to the  
485 E-911 system.

486 (b) The Greene County Racing Commission shall  
487 redistribute the allocated funding of any defunct agency or  
488 organization receiving funds under this section."

489 "§45-32-150.20

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

504 (b) (a) It shall be unlawful for any person to transmit



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

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

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

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



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

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

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

559 Section 3. The following sections are repealed:

560 (1) Section 45-32-150.09, Code of Alabama 1975,

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561 relating to the suspension or revocation of licenses.

562 (2) Section 45-32-150.19, Code of Alabama 1975,

563 relating to the manipulation of race outcomes.

564 Section 4. This act shall become effective immediately.