

SENATE BILL 104

Introduced by Gage

1/16	Introduced
1/16	Referred to Judiciary
1/16	First Reading
2/20	Tabled in Committee

1 INTRODUCTION BY Senate BILL NO. 104  
2 Asp

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW TELEPHONE  
5 ACCOUNT WAGERING AND WAGERING ON SPORTING EVENTS AT RACE  
6 MEET GROUNDS AND SIMULCAST FACILITIES; AND AMENDING SECTIONS  
7 23-4-105 AND 23-4-301, MCA."

8  
9 STATEMENT OF INTENT

10 A statement of intent is required for this bill because  
11 it grants the board of horseracing the authority to adopt  
12 rules to establish, administer, and regulate wagering on  
13 sporting events, with the wagering to be conducted at race  
14 meet grounds and simulcast facilities.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17 **Section 1.** Section 23-4-105, MCA, is amended to read:

18 "23-4-105. Authority of board. (1) The board shall,  
19 subject to 37-1-101 and 37-1-121, license and regulate  
20 racing and review race meets held in this state under this  
21 chapter. If the board decides to authorize new forms of  
22 racing, including new forms of simulcast racing, not  
23 currently engaged in in Montana, it shall do so after  
24 holding public hearings to determine the effects of these  
25 forms of racing on the existing saddle racing program in

1 Montana. The board should consider both economic and safety  
2 impacts on the existing racing and breeding industry.

3 (2) The board may establish, administer, and regulate  
4 wagering on sporting events to be conducted at race meet  
5 grounds and simulcast facilities."

6 **Section 2.** Section 23-4-301, MCA, is amended to read:

7 "23-4-301. Parimutuel betting -- other betting illegal.

8 (1) It is unlawful to make, report, record, or register a  
9 bet or wager on the result of a contest of speed, skill, or  
10 endurance of an animal, whether the contest is held within  
11 or outside of this state, except under this chapter.

12 (2) A licensee conducting a race meet under this  
13 chapter may provide a place in the race meet grounds or  
14 enclosure where the licensee may conduct or supervise the  
15 use of the parimutuel system by patrons on the result of the  
16 races conducted under this chapter and the rules of the  
17 board.

18 (3) A person licensed under this chapter to hold a race  
19 meet may, on the day a race meet is conducted, also provide  
20 a place in the race meet grounds or simulcast facility where  
21 the licensee may conduct or supervise the use of the  
22 parimutuel system by patrons on the results of simulcast  
23 races approved by the board. The board shall may approve  
24 only intrastate races and interstate races ~~of national~~  
25 ~~prominence-to-the-Montana-racing-season. However, the board~~

1 ~~has authority to approve races from other states during the~~  
2 ~~off-season.~~

3 (4) It Except as provided in subsection (7), it is  
4 unlawful to conduct pool selling or bookmaking or to  
5 circulate handbooks or to bet or wager on a race of a  
6 licensed race meet, other than by the parimutuel system and  
7 in the race meet grounds or enclosure where the race is  
8 held, or to permit a minor to use the parimutuel system.

9 (5) Each licensee conducting a parimutuel system for an  
10 intrastate simulcast race meet shall combine the parimutuel  
11 pools at a simulcast facility with those at the actual  
12 racing facility for the purpose of determining the odds and  
13 computing payoffs. The amount of the handle at the simulcast  
14 race meet must be combined with the amount of parimutuel  
15 handle at the live racing facility for the purposes of  
16 distribution of money derived from parimutuel betting under  
17 23-4-302 and 23-4-304.

18 (6) Negotiated purse money from intrastate and  
19 interstate simulcast parimutuel handles at racing  
20 associations that do not conduct live racing will be pooled  
21 and distributed to all tracks conducting live racing, all  
22 moneys to be distributed on a percent, based on each track's  
23 percent, of total annual on-track parimutuel handle.

24 (7) A person licensed under this chapter to hold a race  
25 meet may, on the day a race meet is conducted, engage in

1 telephone account wagering, provided that all telephone  
2 calls to place wagers be made to a location within the race  
3 meet grounds or simulcast facility and provided that all  
4 money used to place telephone account wagers be on deposit  
5 at the race meet grounds or simulcast facility in an amount  
6 sufficient to cover the wagers at the race meet grounds or  
7 simulcast facility. Money wagered by telephone must be  
8 pooled in accordance with subsections (5) and (6).

9 (8) A person licensed under this chapter may accept and  
10 tabulate a telephone account wager only from the holder of a  
11 telephone wagering account. A minor may not establish a  
12 telephone wagering account. A person may not, directly or  
13 indirectly, act as an intermediary or agent in the placing  
14 of wagers for a holder of a telephone wagering account and  
15 may not in any manner place a wager through telephone  
16 account wagering on behalf of a holder of a telephone  
17 wagering account. Only the holder of a telephone wagering  
18 account may place a telephone wager. A person violating this  
19 subsection shall be guilty of a misdemeanor punishable by a  
20 fine not to exceed \$500."

21 NEW SECTION. Section 3. Wagering on sporting events.

22 (1) The board may adopt rules to establish, administer, and  
23 regulate wagering on sporting events to be conducted at race  
24 meet grounds and simulcast facilities.

25 (2) Wagers may not be placed on any sporting event

1 involving students enrolled in any school, college, or  
2 university of this state.

3 NEW SECTION. **Section 4.** Codification instruction.

4 [Section 3] is intended to be codified as an integral part  
5 of Title 23, chapter 4, part 3, and the provisions of Title  
6 23, chapter 4, part 3, apply to [section 3].

-End-