

HOUSE BILL NO. 648

INTRODUCED BY HOLLIDAY, PAVLOVICH, DAILY, MANUEL,
QUILICI, IVERSON, PATTERSON, HANSON, STRATFORD,
GIACOMETTO, KELLER, C. SMITH, JONES, JENKINS,
DEVLIN, SWITZER, SWYSGOOD, ELLISON, MEYERS

IN THE HOUSE

FEBRUARY 7, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & LABOR.

FEBRUARY 14, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 16, 1987 PRINTING REPORT.

FEBRUARY 17, 1987 SECOND READING, DO PASS.

FEBRUARY 18, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 72; NOES, 16.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 19, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & INDUSTRY.

MARCH 6, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 10, 1987 SECOND READING, MOTION BILL BE
CONCURRED IN. MOTION FAILED.

 SECOND READING, INDEFINITELY
POSTPONED.

 RETURNED TO HOUSE.

MARCH 11, 1987

ON MOTION, RECONSIDER ACTION
ON HB NO. 648.

ON MOTION, REQUEST RETURN OF HB NO.
648 FROM HOUSE FOR FURTHER
CONSIDERATION AND REREFER TO
COMMITTEE ON BUSINESS & INDUSTRY.

IN THE HOUSE

MARCH 13, 1987

ON MOTION, REQUEST OF SENATE GRANTED
FOR RETURN OF HB NO. 648 FOR
FURTHER CONSIDERATION.

RETURNED TO SENATE.

IN THE SENATE

MARCH 25, 1987

COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 28, 1987

ON MOTION, CONSIDERATION PASSED
FOR THE DAY.

MARCH 30, 1987

SECOND READING, CONCURRED IN AS
AMENDED.

ON MOTION, RULES SUSPENDED AND BILL
PLACED ON THIRD READING THIS DAY.

THIRD READING, CONCURRED IN.
AYES, 33; NOES, 17.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 9, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 *House* BILL NO. *648*
 2 INTRODUCED BY *Holliday* *Parbit Daily* *Mc*
 3 *Dulici* *Juan* *Paterson* *Hanson* *STRATFORD*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LEGALIZE CALCUTTA
 5 POOLS; TO ESTABLISH PENALTIES; AND PROVIDING AN IMMEDIATE
 6 EFFECTIVE DATE." *Smith* *Jones*
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Definitions. As used in [this act], the
10 following definitions apply:

11 (1) "Calcutta pool" means a form of auction pool in
12 which persons bid or wager money on the contestants of a
13 sports event with winnings awarded based on the outcome of
14 the event.

15 (2) "Sports event" means any game or contest of human
16 strength, skill, stamina, speed, or athletic ability
17 including but not limited to golf, bowling, bridge, pocket
18 billiards, and rodeo.

19 Section 2. Calcutta pools authorized. It is hereby
20 lawful to conduct or participate in a Calcutta pool as
21 defined in [section 1].

22 Section 3. Minors not to participate. No person under
23 the age of 18 may be permitted to participate in a Calcutta
24 pool organized or conducted pursuant to [this act].

25 Section 4. Cheating unlawful. It is unlawful for any

1 person to conduct or participate in a Calcutta pool
2 authorized under [this act] in a manner that results in
3 cheating, misrepresentation, or other disreputable tactics
4 that distract from a fair and equal chance for all
5 participants to win the pool or that otherwise affects the
6 outcome of the pool.

7 Section 5. Penalty. Any person who violates a
8 provision of [this act] shall be guilty of a misdemeanor and
9 upon conviction shall be fined not more than \$1,000 or
10 imprisoned in the county jail for a term not to exceed 3
11 months, or both.

12 Section 6. Construction. Nothing in [this act] may be
13 construed to permit a person to conduct a race meet or to
14 bet on a race of a licensed race meet in violation of
15 23-4-201 and 23-4-301.

16 Section 7. Codification instruction. Sections 1
17 through 6 are intended to be codified as an integral part of
18 Title 23, chapter 5, and the provisions of Title 23, chapter
19 5, apply to sections 1 through 6.

20 Section 8. Severability. If a part of this act is
21 invalid, all valid parts that are severable from the invalid
22 part remain in effect. If a part of this act is invalid in
23 one or more of its applications, the part remains in effect
24 in all valid applications that are severable from the
25 invalid applications.



LC 0861/01

1 Section 9. Effective date. This act is effective on
2 passage and approval.

-End-

APPROVED BY COMM. ON
BUSINESS AND LABOR

HOUSE BILL NO. 648

INTRODUCED BY HOLLIDAY, PAVLOVICH, DAILY, MANUEL,
QUILICI, IVERSON, PATTERSON, HANSON, STRATFORD,
GIACOMETTO, KELLER, C. SMITH, JONES, JENKINS,
DEVLIN, SWITZER, SWYSGOOD, ELLISON, MEYERS

A BILL FOR AN ACT ENTITLED: "AN ACT TO LEGALIZE CALCUTTA
POOLS; TO ESTABLISH PENALTIES; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE."

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

Section 1. Definitions. As used in [this act], the
following definitions apply:

(1) "Calcutta pool" means a form of auction pool in
which persons bid or wager money on the contestants of a
sports event with winnings awarded based on the outcome of
the event.

(2) "Sports event" means any game or contest of human
strength, skill, stamina, speed, or athletic ability
including but not limited to golf, bowling, bridge, pocket
billiards, and rodeo, BUT SPORTS EVENT DOES NOT MEAN ANY
ELEMENTARY SCHOOL OR HIGH SCHOOL SPORTS EVENT.

Section 2. Calcutta pools authorized. It is hereby
lawful to conduct or participate in a Calcutta pool as
defined in [section 1].

Section 3. Minors not to participate. No person under
the age of 18 may be permitted to participate in a Calcutta
pool organized or conducted pursuant to [this act].

Section 4. Cheating unlawful. It is unlawful for any
person to conduct or participate in a Calcutta pool
authorized under [this act] in a manner that results in
cheating, misrepresentation, or other disreputable tactics
that distract from a fair and equal chance for all
participants to win the pool or that otherwise affects the
outcome of the pool.

Section 5. Penalty. Any person who violates a
provision of [this act] shall be guilty of a misdemeanor and
upon conviction shall be fined not more than \$1,000 or
imprisoned in the county jail for a term not to exceed 3
months, or both.

Section 6. Construction. Nothing in [this act] may be
construed to permit a person to conduct a race meet or to
bet on a race of a licensed race meet in violation of
23-4-201 and 23-4-301.

Section 7. Codification instruction. Sections 1
through 6 are intended to be codified as an integral part of
Title 23, chapter 5, and the provisions of Title 23, chapter
5, apply to sections 1 through 6.

Section 8. Severability. If a part of this act is
invalid, all valid parts that are severable from the invalid

1 part remain in effect. If a part of this act is invalid in
2 one or more of its applications, the part remains in effect
3 in all valid applications that are severable from the
4 invalid applications.

5 Section 9. Effective date. This act is effective on
6 passage and approval.

-End-

1 HOUSE BILL NO. 648

2 INTRODUCED BY HOLLIDAY, PAVLOVICH, DAILY, MANUEL,
3 QUILICI, IVERSON, PATTERSON, HANSON, STRATFORD,
4 GIACOMETTO, KELLER, C. SMITH, JONES, JENKINS,
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6

7 A BILL FOR AN ACT ENTITLED: "AN ACT TO LEGALIZE CALCUTTA
8 POOLS; TO ESTABLISH PENALTIES; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."
10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Definitions. As used in [this act], the
13 following definitions apply:

14 (1) "Calcutta pool" means a form of auction pool in
15 which persons bid or wager money on the contestants of a
16 sports event with winnings awarded based on the outcome of
17 the event.

18 (2) "Sports event" means any game or contest of human
19 strength, skill, stamina, speed, or athletic ability
20 including but not limited to golf, bowling, bridge, pocket
21 billiards, and rodeo, BUT SPORTS EVENT DOES NOT MEAN ANY
22 ELEMENTARY SCHOOL OR HIGH SCHOOL SPORTS EVENT.

23 Section 2. Calcutta pools authorized. It is hereby
24 lawful to conduct or participate in a Calcutta pool as
25 defined in [section 1].

1 Section 3. Minors not to participate. No person under
2 the age of 18 may be permitted to participate in a Calcutta
3 pool organized or conducted pursuant to [this act].

4 Section 4. Cheating unlawful. It is unlawful for any
5 person to conduct or participate in a Calcutta pool
6 authorized under [this act] in a manner that results in
7 cheating, misrepresentation, or other disreputable tactics
8 that distract from a fair and equal chance for all
9 participants to win the pool or that otherwise affects the
10 outcome of the pool.

11 Section 5. Penalty. Any person who violates a
12 provision of [this act] shall be guilty of a misdemeanor and
13 upon conviction shall be fined not more than \$1,000 or
14 imprisoned in the county jail for a term not to exceed 3
15 months, or both.

16 Section 6. Construction. Nothing in [this act] may be
17 construed to permit a person to conduct a race meet or to
18 bet on a race of a licensed race meet in violation of
19 23-4-201 and 23-4-301.

20 Section 7. Codification instruction. Sections 1
21 through 6 are intended to be codified as an integral part of
22 Title 23, chapter 5, and the provisions of Title 23, chapter
23 5, apply to sections 1 through 6.

24 Section 8. Severability. If a part of this act is
25 invalid, all valid parts that are severable from the invalid

HB 0648/02

1 part remain in effect. If a part of this act is invalid in
2 one or more of its applications, the part remains in effect
3 in all valid applications that are severable from the
4 invalid applications.

5 Section 9. Effective date. This act is effective on
6 passage and approval.

-End-

HOUSE BILL NO. 648

INTRODUCED BY HOLLIDAY, PAVLOVICH, DAILY, MANUEL,
 QUILICI, IVERSON, PATTERSON, HANSON, STRATFORD,
 GIACOMETTO, KELLER, C. SMITH, JONES, JENKINS,
 DEVLIN, SWITZER, SWYSGOOD, ELLISON, MEYERS

A BILL FOR AN ACT ENTITLED: "AN ACT TO LEGALIZE CALCUTTA
 POOLS; TO ESTABLISH PENALTIES; AND PROVIDING AN IMMEDIATE
 EFFECTIVE DATE."

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

Section 1. Definitions DEFINITION. As used in [this
 act], ~~the following definitions apply:~~

{1} "Calcutta pool" means:

~~{A} a form of auction pool in which persons bid or
 wager money on the contestants of a sports event with
 winnings awarded based on the outcome of the AN event,
 EXCEPT THAT PERSONS MAY NOT BID OR WAGER MONEY ON ANY
 ELEMENTARY SCHOOL OR HIGH SCHOOL SPORTS EVENT; AND~~

~~{B} a form of auction pool in which persons bid or
 wager on the rate or amount of weight gain of one or more
 other animals with winnings awarded based on the outcome of
 the contest.~~

{2} "Sports event" means any game or contest of human

~~strength, skill, stamina, speed, or athletic ability
 including but not limited to golf, bowling, bridge, pocket
 billiards, and rodeo; BUT SPORTS EVENT DOES NOT MEAN ANY
 ELEMENTARY SCHOOL OR HIGH SCHOOL SPORTS EVENT.~~

Section 2. Calcutta pools authorized. It is hereby
 lawful to conduct or participate in a Calcutta pool as
 defined in [section 1].

Section 3. Minors not to participate. No person under
 the age of 18 may be permitted to participate in a Calcutta
 pool organized or conducted pursuant to [this act].

Section 4. Cheating unlawful. It is unlawful for any
 person to conduct or participate in a Calcutta pool
 authorized under [this act] in a manner that results in
 cheating, misrepresentation, or other disreputable tactics
 that distract from a fair and equal chance for all
 participants to win the pool or that otherwise affects the
 outcome of the pool.

Section 5. Penalty. Any person who violates a
 provision of [this act] shall be guilty of a misdemeanor and
 upon conviction shall be fined not more than \$1,000 or
 imprisoned in the county jail for a term not to exceed 3
 months, or both.

Section 6. Construction. Nothing in [this act] may be
 construed to permit a person to conduct a race meet or to
 bet on a race of a licensed race meet in violation of

1 23-4-201 and 23-4-301.

2 Section 7. Codification instruction. Sections 1
3 through 6 are intended to be codified as an integral part of
4 Title 23, chapter 5, and the provisions of Title 23, chapter
5 5, apply to sections 1 through 6.

6 Section 8. Severability. If a part of this act is
7 invalid, all valid parts that are severable from the invalid
8 part remain in effect. If a part of this act is invalid in
9 one or more of its applications, the part remains in effect
10 in all valid applications that are severable from the
11 invalid applications.

12 Section 9. Effective date. This act is effective on
13 passage and approval.

-End-

STANDING COMMITTEE REPORT

SENATE

MARCH 23, 19 87

MR. PRESIDENT

We, your committee on BUSINESS AND INDUSTRY

having had under consideration HOUSE BILL No. 648

THIRD reading copy (BLUE)
color

HOLLIDAY (WILLIAMS)

LEGALIZE CALCUTTA POOLS IN BETTING INVOLVING SPORTS EVENTS

Respectfully report as follows: That HOUSE BILL No. 648

be amended as follows:

1. Page 1, line 14.
Following: "means"
Insert: ": (a)"
2. Page 1, line 17.
Following: "event"
Insert: "; and
(b) a form of auction pool in which persons bid or wager on the rate or amount of weight gain of one animal compared to the rate or amount of weight gain of one or more other animals with winnings awarded based on the outcome of the contest"

AND AS AMENDED,

BE CONCURRED IN

XXXXXX

XXXXXXXXXX

Allen C. Kolstad

SENATOR ALLEN C. KOLSTAD, Chairman.

3-24-87
2:52

3-30-87

SENATE

DATE

11:00

TIME

648

MR. CHAIRMAN: I MOVE TO AMEND HOUSE BILL No. 648

THIRD

BLUE

reading copy () as follows:
Color

1. AMENDING SENATE BUSINESS AND INDUSTRY STANDING COMMITTEE REPORT, DATED MARCH 23, 1987.

Strike: Amendment Nos. 1 and 2 in their entirety.

2. Page 1, line 12.

Strike: "Definitions"

Insert: "Definition"

3. Page 1, lines 12 and 13.

Strike: "the following definitions apply:"

4. Page 1, line 14.

Strike: "(1)"

5. Page 1, lines 15 and 16.

Strike: "on the contestants of a sports event"

6. Page 1, line 17.

Strike: "the"

Insert: "an"

Following: "event"

Insert: ", except that persons may not bid or wager money on any elementary school or high school sports event"

7. Page 1, lines 18 through 22.

Strike: subsection (2) in its entirety.

K

ADOPT

REJECT

Bob Williams
Senator Williams