AMENDED IN ASSEMBLY AUGUST 24, 2009

AMENDED IN SENATE MAY 14, 2009

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL No. 662

Introduced by Senator Yee
(Coauthors: Senators Liu, Romero, and Wiggins)
(Coauthors: Assembly Members Adams, Fong, Bonnie Lowenthal, Ma, Ruskin, Smyth, and Torlakson)

February 27, 2009

An act ~~to amend Sections 19440 and 19616.51 of the Business and Professions Code, relating to horse racing.~~ *relating to domestic violence, making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 662, as amended, Yee. ~~Horse racing: parimutuel wagering: real time monitoring.~~ *Domestic violence: funding.*

Existing law provides for the indemnification of victims and derivative victims of specified types of crimes from the Restitution Fund, which is continuously appropriated to the California Victim Compensation and Government Claims Board for these purposes.

Existing law requires the Maternal and Child Health Branch of the State Department of Public Health to administer a comprehensive shelter-based services grant program to battered women's shelters, as prescribed.

This bill would, notwithstanding existing law, appropriate $16,300,000 from the Restitution Fund to the State Department of Public Health to be allocated for purposes of funding this program.

~~Existing law provides that the California Horse Racing Board shall have all necessary powers to carry out the purposes of the Horse Racing Law and specifies certain responsibilities of the board.~~

~~This bill would include, within those responsibilities of the board, providing real time transactional monitoring of all parimutuel wagering on California horse races and maintaining independent technology services for specified purposes.~~

~~Existing law, effective July 1, 2009, provides that, notwithstanding any other provision of law and in lieu of any license fee payable to the state prescribed for or referred to in specified provisions of the Horse Racing Law, any association or fair that conducts a racing meeting shall pay a license fee to fund the California Horse Racing Board and the equine drug testing program in accordance with a formula devised by the board in consultation with the industry, as provided.~~

~~This bill would also require any association or fair that conducts a racing meeting to pay a license fee to the state to fund real time transactional monitoring of all parimutuel wagering on California horse races, as specified.~~

Vote: majority. Appropriation: ~~no~~ *yes*. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Notwithstanding Section 13964 of the Government Code, there is hereby appropriated the sum of sixteen million three hundred thousand dollars ($16,300,000) from the Restitution Fund to the State Department of Public Health for purposes of funding Chapter 6 (commencing with Section 124250) of Part 2 of Division 106 of the Health and Safety Code.

~~SECTION 1. Section 19440 of the Business and Professions Code is amended to read:~~

~~19440. (a) The board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the board shall include, but not be limited to, all of the following:~~

~~(1) Adopting rules and regulations for the protection of the public and the control of horse racing and parimutuel wagering.~~

~~(2) Administration and enforcement of all laws, rules, and regulations affecting horse racing and parimutuel wagering.~~

~~(3) Adjudication of controversies arising from the enforcement of those laws and regulations dealing with horse racing and parimutuel wagering.~~

~~(4) Licensing of each racing association and all persons, other than the public at large, who participate in a horse racing meeting with parimutuel wagering.~~

~~(5) Allocation of racing dates to qualified associations in accordance with law.~~

~~(6) Providing real time transactional monitoring of all parimutuel wagering on California horse races.~~

~~(7) Maintaining independent technology services to provide for capturing, saving, transmitting, receiving, and otherwise disseminating technology resources, and the board may contract with the Department of Technology Services or seek suitable accommodations with vendors of the board's choosing for the purpose of furthering the board's chosen business objectives.~~

~~(b) The board may delegate to stewards appointed pursuant to Article 5 (commencing with Section 19510) any of its powers and duties that are necessary to carry out fully and effectuate the purposes of this chapter.~~

~~SEC. 2. Section 19616.51 of the Business and Professions Code, as added by Section 4 of Chapter 12 of the Statutes of 2009 of the Second Extraordinary Session, is amended to read:~~

~~19616.51. (a) Notwithstanding any other provision of law, and in lieu of any license fee payable to the state prescribed for or referred to in Section 19491, 19491.5, 19596.3, 19601, 19601.2, 19602, 19603, 19604, 19605.25, 19605.35, 19605.45, 19605.6, 19605.7, 19605.71, 19606.5, 19606.6, 19610.8, 19611, 19612, 19614, 19616, 19616.1, 19616.2, or 19641, any association or fair that conducts a racing meeting shall only pay a license fee to the state to fund the board, real time transactional monitoring of all parimutuel wagering on California horse races, and the equine drug testing program as follows:~~

~~(1) All racing associations and fairs including all breeds of racing shall participate in the funding of the board in accordance with a formula devised by the board in consultation with the industry.~~

~~(2) The baseline funding for the board and equine drug testing program in the first fiscal year after the enactment of this section shall be the amount approved in the 2008–09 Budget Act.~~

~~(3) Adjustments to the funding in subsequent budget years may only be made by an act of the Legislature.~~

~~(b) The license fee reductions resulting from subdivision (a), after payments to fund the board, real time transactional monitoring of all parimutuel wagering on California horse races, and the equine drug testing program, shall be distributed as follows:~~

~~(1) For thoroughbred racing only, 3 percent of the amount of the reduction shall be deposited with the official registering agency pursuant to subdivision (a) of Section 19617.2, and shall thereafter be distributed in accordance with subdivisions (b), (c), and (d) of Section 19617.2. The remaining amount shall be distributed to the association that conducts the racing meeting and to horsemen participating in that racing meeting as follows:~~

~~(A) Fifty percent to the association as commissions.~~

~~(B) Fifty percent to the horsemen as purses.~~

~~(2) For quarter horse racing, 2.5 percent of the amount of the reduction shall be deposited with the official registering agency pursuant to subdivision (b) of Section 19617.7, and shall thereafter be distributed in accordance with subdivisions (c), (d), (e), and (f) of Section 19617.7, the remaining amount shall be distributed to the association that conducts the racing meeting and to horsemen participating in that racing meeting as follows:~~

~~(A) Fifty percent to the association as commissions.~~

~~(B) Fifty percent to the horsemen as purses.~~

~~(3) For harness racing, 6 percent of the amount of the reduction shall be distributed as specified in Section 19617.6, the remaining amount shall be distributed to the association that conducts the racing meeting and to horsemen participating in that racing meeting as follows:~~

~~(A) Fifty percent to the association as commissions.~~

~~(B) Fifty percent to the horsemen as purses.~~

~~(4) For all other breeds, the remaining amount shall be distributed to the association that conducts the racing meeting and to horsemen participating in that racing meeting as follows:~~

~~(A) Fifty percent to the association as commissions.~~

~~(B) Fifty percent to the horsemen as purses.~~

CORRECTIONS:

Text—Pages 1 and 2.

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