

SENATE BILL No. 956

October 28, 2009, Introduced by Senator VAN WOERKOM and referred to the Committee on Agriculture and Bioeconomy.

A bill to amend 1951 PA 90, entitled

"An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act,"

by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254), as amended by 1998 PA 505.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. ~~For the calendar year 1998 and each year thereafter,~~
2 ~~all funds~~ **MONEY** held by any ~~A RACE MEETING~~ licensee for the payment
3 of outstanding winning tickets for any race meeting conducted under
4 the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336,
5 ~~which have~~ **THAT HAS** not been claimed by the owner ~~of those funds~~
6 within 60 days after the close of the race meeting ~~,~~ shall be

1 retained by the licensee and distributed as follows:

2 (a) If the licensee is a standardbred race meeting licensee:

3 (i) Fifty percent of the funds ~~MONEY~~ shall be retained by the
4 licensee.

5 (ii) Fifty percent of the funds ~~MONEY~~ shall be deposited into
6 the Michigan agriculture equine **INDUSTRY DEVELOPMENT** fund created
7 in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL
8 431.320, and designated for standardbred programs described in
9 section 20(5)(a), (c), (e), (h), and (i) of the horse racing law of
10 1995, 1995 PA 279, MCL 431.320.

11 (b) If the licensee is a thoroughbred race meeting licensee: ~~7~~
12 ~~then 100% of the funds for 1998 shall be earmarked for the~~
13 ~~development and capital improvement for the purpose of~~
14 ~~accommodating thoroughbred racing at existing licensed racing~~
15 ~~facilities that have operated within the 2 years immediately before~~
16 ~~the effective date of the amendatory act that added this~~
17 ~~subdivision within a city area or at a facility located outside a~~
18 ~~city area upon written approval of a certified thoroughbred~~
19 ~~horsemen's organization and approved by the racing commissioner. As~~
20 ~~used in this subdivision, "city area" and "horsemen's organization"~~
21 ~~mean those terms as defined in section 2 of the horse racing law of~~
22 ~~1995, 1995 PA 279, MCL 431.302. For calendar year 1999 and every~~
23 ~~year thereafter.~~

24 (i) Fifty percent of the funds ~~MONEY~~ shall be retained by the
25 licensee.

26 (ii) Fifty percent of the funds ~~MONEY~~ shall be deposited in the
27 Michigan agriculture equine **INDUSTRY DEVELOPMENT** fund established

1 in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL
2 431.320, and designated for thoroughbred programs described in
3 section 20(6)(a) to (e) of the horse racing law of 1995, 1995 PA
4 279, MCL 431.320.

5 (c) If the licensee is a light horse race meeting licensee:

6 (i) Fifty percent of the ~~funds~~ **MONEY** shall be retained by the
7 licensee.

8 (ii) Fifty percent of the ~~funds~~ **MONEY** shall be deposited in the
9 Michigan agriculture equine **INDUSTRY DEVELOPMENT** fund established
10 in section 20(3) of the horse racing law of 1995, 1995 PA 279, MCL
11 431.320, and designated for light horse programs described in
12 section 20(7), (8), and (9) of the horse racing law of 1995, 1995
13 PA 279, MCL 431.320.

14 ~~—— (d) Funds for uncashed tickets for calendar year 1998 held by~~
15 ~~the department of treasury that were remitted by licensees shall be~~
16 ~~distributed as provided in this section.~~

17 Sec. 3. A **RACE MEETING** licensee who pays a winning ticket
18 ~~subsequent to~~ **AFTER** the last day of a race meeting shall preserve
19 the cashed winning ticket and deliver it to the ~~racing commissioner~~
20 **DIRECTOR OF THE DEPARTMENT OF AGRICULTURE**.

21 Sec. 4. ~~The~~ **A RACE MEETING** licensee upon taking proper receipt
22 from the ~~racing commissioner~~ **DIRECTOR OF THE DEPARTMENT OF**
23 **AGRICULTURE** for ~~funds~~ **MONEY** and records delivered to the ~~racing~~
24 ~~commissioner~~ **DIRECTOR** under this act and delivering a copy of the
25 cashed winning ticket to the ~~racing commissioner shall be~~ **DIRECTOR**
26 **IS** released and discharged ~~for~~ **FROM** all liability or accountability
27 to the owner of the ~~funds~~ **MONEY**, ~~as well as~~ **AND FROM** the

1 requirements of preparing and filing ~~of~~ any report concerning the
2 property to a state, county, or municipal board, commission, or
3 agency, except those that were required or accrued before the date
4 of the required delivery of the ~~funds~~ **MONEY** and report to the
5 ~~racing commissioner~~ **DIRECTOR**. ~~However, the delivery of the funds~~
6 ~~and reports to the racing commissioner by a licensee shall not~~
7 ~~release or discharge the licensee from the powers granted to the~~
8 ~~commissioner under section 5.~~

9 Enacting section 1. This amendatory act does not take effect
10 unless Senate Bill No. 955

11 of the 95th Legislature is enacted into law.