

SENATE BILL NO. 414

June 27, 2023, Introduced by Senators CHERRY, HERTEL, LAUWERS, DALEY and HOITENGA and referred to the Committee on Natural Resources and Agriculture.

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 section 2 (MCL 431.252), 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 **Each calendar year**, all ~~funds~~**money** held by ~~any~~**a** licensee for the
3 payment of outstanding winning tickets for ~~any~~**a** race meeting

1 conducted under the horse racing law of 1995, 1995 PA 279, MCL
 2 431.301 to 431.336, ~~which have~~ **that has** not been claimed by the
 3 owner of ~~those funds~~ **the money** within 60 days after the close of
 4 the race meeting, ~~shall~~ **must** be retained by the licensee and
 5 distributed as follows:

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

7 (i) Fifty percent of the ~~funds shall~~ **money must** be retained by
 8 the licensee.

9 (ii) Fifty percent of the ~~funds shall~~ **money must** be deposited
 10 into the Michigan agriculture equine **industry development** fund
 11 created in section ~~20(3)~~ **20** of the horse racing law of 1995, 1995
 12 PA 279, MCL 431.320, and designated for standardbred programs
 13 described in section 20(5)(a), (c), (e), (h), and ~~(i)~~ **(j), and (k)**
 14 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

15 (b) If the licensee is a thoroughbred race meeting licensee: ~~7~~
 16 ~~then 100% of the funds for 1998 shall be earmarked for the~~
 17 ~~development and capital improvement for the purpose of~~
 18 ~~accommodating thoroughbred racing at existing licensed racing~~
 19 ~~facilities that have operated within the 2 years immediately before~~
 20 ~~the effective date of the amendatory act that added this~~
 21 ~~subdivision within a city area or at a facility located outside a~~
 22 ~~city area upon written approval of a certified thoroughbred~~
 23 ~~horsemen's organization and approved by the racing commissioner. As~~
 24 ~~used in this subdivision, "city area" and "horsemen's organization"~~
 25 ~~mean those terms as defined in section 2 of the horse racing law of~~
 26 ~~1995, 1995 PA 279, MCL 431.302. For calendar year 1999 and every~~
 27 ~~year thereafter:~~

28 (i) Fifty percent of the ~~funds shall~~ **money must** be retained by
 29 the licensee.

1 (ii) Fifty percent of the ~~funds shall~~ **money must** be deposited
 2 in the Michigan agriculture equine **industry development** fund
 3 established in section ~~20(3)~~**20** of the horse racing law of 1995,
 4 1995 PA 279, MCL 431.320, and designated for thoroughbred programs
 5 described in section 20(6)(a) to (e) **and (g)** of the horse racing
 6 law of 1995, 1995 PA 279, MCL 431.320.

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

8 ~~(i) Fifty percent of the funds shall be retained by the~~
 9 ~~licensee.~~

10 ~~(ii) Fifty percent of the funds shall be deposited in the~~
 11 ~~Michigan agriculture equine fund established in section 20(3) of~~
 12 ~~the horse racing law of 1995, 1995 PA 279, MCL 431.320, and~~
 13 ~~designated for light horse programs described in section 20(7),~~
 14 ~~(8), and (9) of the horse racing law of 1995, 1995 PA 279, MCL~~
 15 ~~431.320.~~

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

19 Enacting section 1. This amendatory act does not take effect
 20 unless Senate Bill No. 411 of the 102nd Legislature is enacted into
 21 law.