

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1102

Introduced by Giese, 17; Karpisek, 32; Rogert, 16.

Read first time January 21, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to horseracing; to amend sections 2-1203.01
2 and 2-1215, Reissue Revised Statutes of Nebraska; to
3 authorize the State Racing Commission to license and
4 regulate wagering on historic horseraces; to provide a
5 penalty; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-1203.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-1203.01 The State Racing Commission shall:

4 (1) Enforce all state laws covering horseracing as
5 required by sections 2-1201 to 2-1242 and enforce rules and
6 regulations adopted and promulgated by the commission under the
7 authority of section 2-1203;

8 (2) License racing industry participants, race officials,
9 mutuel employees, telereading facility employees, telephone deposit
10 center employees, concessionaires, and such other persons as deemed
11 necessary by the commission and approve and license telereading
12 facilities and telephonic wagering if the license applicants meet
13 eligibility standards established by the commission;

14 (3) Prescribe and enforce security provisions, including,
15 but not limited to, the restricted access to areas within track
16 enclosures, backstretch areas, and telereading facilities, and
17 prohibitions against misconduct or corrupt practices;

18 (4) Determine or cause to be determined by chemical
19 testing and analysis of body fluids whether or not any prohibited
20 substance has been administered to the winning horse of each race
21 and any other horse selected by the board of stewards;

22 (5) Verify the certification of horses registered as
23 being Nebraska-bred under section 2-1213; ~~and~~

24 (6) Collect and verify the amount of revenue received by
25 the commission under section 2-1208; ~~and-~~

1 (7) Be authorized to license and regulate parimutuel
 2 wagering on historic horseraces.

3 Sec. 2. Section 2-1215, Reissue Revised Statutes of
 4 Nebraska, is amended to read:

5 2-1215 (1) Except as otherwise provided in subsection (2)
 6 of this section, it shall be a Class I misdemeanor for:

7 (a) Any person, corporation, or association holding or
 8 conducting to hold or conduct any horserace or horserace meeting,
 9 in connection with which the said parimutuel system of wagering is
 10 used or to be used, without a license duly issued by the State
 11 Racing Commission; ~~or any~~

12 (b) Any person, corporation, or association holding or
 13 conducting to hold or conduct horseraces or horserace meetings in
 14 connection with which any wagering is permitted otherwise than in
 15 the manner ~~hereinbefore~~ specified by law; or any

16 (c) Any person, corporation, or association violating to
 17 violate any of the provisions of sections 2-1201 to 2-1218 or any
 18 of the rules and regulations prescribed by the commission. shall
 19 be guilty of a Class I misdemeanor.

20 (2) It shall be a Class III misdemeanor to use a device
 21 for parimutuel wagering on historic horseraces outside the premises
 22 of a licensed racetrack enclosure.

23 Sec. 3. Original sections 2-1203.01 and 2-1215, Reissue
 24 Revised Statutes of Nebraska, are repealed.