

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2381

Introduced by

Senators Klein, Thane

Representatives Berg, Mahoney, Schmidt

1 A BILL for an Act to amend and reenact section 53-06.2-10.1 of the North Dakota Century
2 Code, relating to simulcast wagering.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 53-06.2-10.1 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **53-06.2-10.1. Simulcast wagering.** In addition to racing under the certificate system,
7 as authorized by this chapter, and conducted upon the premises of a racetrack, simulcast
8 parimutuel wagering may be conducted in accordance with this chapter and interim standards
9 that need not comply with chapter 28-32, or rules adopted by the commission under this
10 chapter. Any organization qualified under section 53-06.2-06 to conduct racing may make
11 written application to the commission for the conduct of simulcast parimutuel wagering on races
12 held at licensed racetracks inside the state or racetracks outside the state, or both.
13 Notwithstanding any other provision of this chapter, the commission may authorize any
14 licensee to participate in interstate or international combined wagering pools with one or more
15 other racing jurisdictions. Any time that a licensee participates in an interstate or international
16 combined pool, the licensee, as prescribed by the commission, may adopt the take-out of the
17 host jurisdiction or facility. The commission may permit a licensee to use one or more of its
18 races or simulcast programs for an interstate or international combined wagering pool at
19 locations outside its jurisdiction and may allow parimutuel pools in other states to be combined
20 with parimutuel pools in its jurisdiction for the purpose of establishing an interstate or
21 international combined wagering pool. The participation by a licensee in a combined interstate
22 or international wagering pool does not cause that licensee to be considered to be doing
23 business in any jurisdiction other than the jurisdiction in which the licensee is physically located.
24 Parimutuel taxes or commissions may not be imposed on any amounts wagered in an

1 interstate or international combined wagering pool other than amounts wagered within this
2 jurisdiction. The certificate system also permits parimutuel wagering to be conducted through
3 account wagering. As used in this section, "account wagering" means a form of parimutuel
4 wagering in which an individual deposits money in an account and uses the account balance to
5 pay for parimutuel wagers. An account wager made on an account established in this state
6 may only be made through the licensed simulcast service provider authorized by the
7 commission to operate the simulcast parimutuel wagering system under the certificate system.
8 An account wager may be made in person, by direct telephone communication, or through
9 other electronic communication in accordance with rules adopted by the commission.
10 Breakage for interstate or international combined wagering pools must be calculated in
11 accordance with the statutes or rules of the host jurisdiction and must be distributed among the
12 participating jurisdictions in a manner agreed to among the jurisdictions.