

June 2007

TITLE 53

Sports and Amusements

Summary of Bills Enacted by 2007 Legislative Assembly

This memorandum summarizes 2007 legislation primarily affecting North Dakota Century Code Title 53. Bills primarily affecting other titles also affect this title, and relevant provisions of those bills are summarized in this memorandum.

The legislation relating to sports and amusements may be classified in these subject areas: horse racing; charitable gaming; lottery; and miscellaneous.

HORSE RACING

House Bill No. 1126 establishes the racing promotion fund as a fund administered by the Racing Commission to assist in improving and upgrading racetracks in the state and promoting horse racing; imposes duties upon the Racing Commission; requires the approval of the Attorney General before a license to conduct races may be granted; modifies the current tax structure for live horse racing and simulcast wagering; and authorizes the Attorney General to audit and investigate service providers, totalizator companies, site operators, and organizations applying to conduct or conducting parimutuel wagering.

House Bill No. 1324 provides that the Racing Commission is required to provide for registration of a North Dakota-bred horse for qualification for breeders' fund awards or purse supplements. The bill requires the commission to contract with a private person to maintain the registry. The bill also prohibits the commission from transferring money among the breeders' fund, the purse fund, and the racing promotion fund. The bill requires the commission to distribute awards and payment supplements from the breeders' fund in the same calendar year the money was earned by the recipient.

Senate Bill No. 2260 authorizes the Racing Commission, for the purpose of licensing a participant in the racing and simulcast parimutuel wagering industry, to obtain a statewide and nationwide criminal history record check.

CHARITABLE GAMING

House Bill No. 1263 changes the maximum cash raffle prize amount that may be awarded in a single day from \$1,000 to \$4,000. The bill also increases from one to two the number of occasions per year which a licensed organization may exchange a merchandise prize for a cash prize.

Senate Bill No. 2225 replaces the sales and use tax on bingo cards with an excise tax of 3 percent on the gross proceeds from the sale at retail of bingo cards to final users.

LOTTERY

House Bill No. 1330 relates to the lottery operating fund. The bill provides that starting July 1, 2007, \$150,625 must be transferred to the State Treasurer each quarter for deposit in the Attorney General Multijurisdictional Drug Task Force grant fund.

Senate Bill No. 2101 makes miscellaneous changes to the state's lottery laws. The bill authorizes lottery retailers to sell a ticket at a temporary site for a special event authorized by the lottery. The bill clarifies that a prize may not be paid on a winning ticket if the ticket was purchased using a stolen lottery gift certificate or otherwise acquired illegally. The bill provides that personal information on a player who purchases a subscription or a player who wins a prize on a winning ticket is confidential unless the player authorizes the release of the information.

MISCELLANEOUS

House Bill No. 1201 changes from 1 percent to 3 percent the fee that the Secretary of State may establish on the percentage of gross revenues from any boxing, kickboxing, mixed fighting style competition, or sparring exhibition held in this state.