

Sixty-fourth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1203**

Introduced by

Representative Maragos

Senator Flakoll

1 A BILL for an Act to amend and reenact subsection 2 of section 53-06.2-11 of the North Dakota  
2 Century Code, relating to the taxation of live racing, simulcast, and account wagering and  
3 payments to the funds administered by the North Dakota racing commission; and to provide an  
4 effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 53-06.2-11 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 2. For simulcast and account wagering:

9 a. In win, place, and show pari-mutuel pools, the licensee may deduct no more than  
10 twenty percent of the amount wagered. Except as limited in subdivision c, of the  
11 amount wagered by simulcast and account wagering in win, place, and show  
12 pari-mutuel pools, the licensee shall pay:

13 (1) One-sixteenth of one percent to the state treasurer to be deposited in the  
14 general fund.

15 (2) One-sixteenth of one percent to the commission to be deposited in the  
16 breeders' fund.

17 (3) One-sixteenth of one percent to the commission to be deposited in the  
18 purse fund.

19 (4) One-sixteenth of one percent to the commission to be deposited in the  
20 racing promotion fund.

21 b. Except as limited in subdivision c, of the amount wagered by simulcast and  
22 account wagering in daily double, quinella, exacta, trifecta, or other combination  
23 pari-mutuel pools, the licensee shall pay:

1 (1) One-sixteenth of one percent to the state treasurer to be deposited in the  
2 general fund.

3 (2) One-sixteenth of one percent to the commission to be deposited in the  
4 breeders' fund.

5 (3) One-sixteenth of one percent to the commission to be deposited in the  
6 purse fund.

7 (4) One-sixteenth of one percent to the commission to be deposited in the  
8 racing promotion fund.

9 c. ~~For the fiscal year commencing July 1, 2013, the licensee may not pay more than~~  
10 ~~four hundred thousand dollars. For the fiscal year commencing July 1, 2014, and~~  
11 ~~thereafter, the~~ licensee may not pay more than four hundred twenty thousand  
12 dollars each fiscal year. Notwithstanding, a licensee that applies for and conducts  
13 a qualifying live race meet in the state may not pay more than two hundred  
14 thousand dollars, including all pari-mutuel tax payments on live, simulcast, and  
15 account wagering, for the fiscal year beginning in the calendar year the qualifying  
16 live race meet is conducted. A qualifying live race meet must consist of a  
17 minimum of twelve live racing days in a single calendar year awarded by the  
18 commission pursuant to the certificate system. If a licensee is awarded fourteen  
19 or more live racing days but fails or refuses to run a minimum of fourteen live  
20 racing days, the licensee does not qualify for the reduced pari-mutuel tax liability.

21 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective July 1, 2015.