

**SENATE BILL NO. 2361  
with House Amendments**

Fifty-sixth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2361**

Introduced by

Senators Thompson, Bercier, Klein

Representatives Schmidt, Solberg, L. Thoreson

1 A BILL for an Act to create and enact two new subsections to section 53-06.2-01, a new  
2 subsection to section 53-06.2-04, a new subsection to section 53-06.2-05, and a new section to  
3 chapter 53-06.2 of the North Dakota Century Code, relating to definitions, funds administered  
4 by the racing commission, and a continuing appropriation; to amend and reenact subsections 1  
5 and 2 of section 53-06.2-11 of the North Dakota Century Code, relating to the use of racing  
6 funds; and to provide an expiration date.

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

8 **SECTION 1.** Two new subsections to section 53-06.2-01 of the 1997 Supplement to  
9 the North Dakota Century Code are created and enacted as follows:

10 "Promotion fund" means a fund, administered by the commission, established to  
11 assist in improving and upgrading racetracks in the state, to promote horse racing  
12 within the state, to defray the operating expenses of the commission, and to assist  
13 4-H horse-related programs that are sponsored and administered by the North  
14 Dakota state university extension service in cooperation with counties.

15 "Track development fund" means a fund administered by the commission,  
16 established for the sole purpose of developing new racetracks in the state, and  
17 from which no transfers may be made other than direct expenditures for designing,  
18 constructing, and outfitting new racetracks.

19 **SECTION 2.** A new subsection to section 53-06.2-04 of the 1997 Supplement to the  
20 North Dakota Century Code is created and enacted as follows:

21 Promote an increase in live horse racing in the state.

22 **SECTION 3.** A new subsection to section 53-06.2-05 of the 1997 Supplement to the  
23 North Dakota Century Code is created and enacted as follows:

1           Receive moneys collected by the commission for license fees charged to individual  
2           and corporate racing participants, fines assessed against racing participants by the  
3           commission, and fees for entry to programs administered by the commission.

4           **SECTION 4.** A new section to chapter 53-06.2 of the North Dakota Century Code is  
5 created and enacted as follows:

6           **Continuing appropriation.** Moneys collected under section 3 of this Act must be  
7 deposited with the state treasurer for deposit in a special fund and are appropriated on a  
8 continuing basis to the commission for the purpose of defraying the costs and expenses of the  
9 commission.

10          **SECTION 5. AMENDMENT.** Subsections 1 and 2 of section 53-06.2-11 of the 1997  
11 Supplement to the North Dakota Century Code are amended and reenacted as follows:

12           1. For each day of a live race meet or a simulcast day in this state on win, place, and  
13 show parimutuel pools, the licensee shall deduct up to twenty percent of the total  
14 win, place, and show pool. The licensee may retain ~~seventeen-~~ fifteen percent for  
15 expenses. ~~One-half of;~~ one-half of one percent must be paid to the ~~North Dakota~~  
16 ~~racing~~ commission to be used for the ~~North Dakota~~ purse fund. ~~One-half;~~ one-half  
17 of one percent must be paid to the ~~North Dakota racing~~ commission to be used for  
18 the ~~North Dakota~~ breeders' fund ~~for the respective breed of horses racing at that~~  
19 ~~meet;~~ and two percent must be paid to the commission to be used for the track  
20 development fund. The remaining two percent must be paid to the state treasurer  
21 to be deposited in the general fund.

22           2. For each day of a live race meet or a simulcast day in this state for each daily  
23 double, quinella, exacta, trifecta, or other wager combining two or more horses for  
24 winning payoffs, the licensee shall deduct up to twenty-five percent of each  
25 wagering pool. Of this amount, the licensee may retain ~~twenty-one~~ nineteen  
26 percent for expenses. ~~One-half of;~~ must pay one-half of one percent ~~must be paid~~  
27 to the commission to be deposited in the purse fund. ~~One-half of one;~~ must pay  
28 one-half of one percent ~~must be paid~~ to the commission to be deposited in the  
29 promotion fund. ~~One-half of one;~~ must pay two percent to the commission to be  
30 deposited in the track development fund; and must pay one-half of one percent  
31 ~~must be paid~~ to the commission to be deposited in the breeders' fund. The

1                   remaining two and one-half percent must be paid to the state treasurer to be  
2                   deposited in the general fund.

3                   **SECTION 6. EXPIRATION DATE.** Section 5 of this Act is effective through June 30,  
4 2001, and after that date is ineffective. Subsections 1 and 2 of section 53-06.2-11 as they  
5 existed on the day before the effective date of this Act become effective as of July 1, 2001.