

**HOUSE BILL NO. 1389**

Introduced by

Representatives Kretschmar, Boucher

Senator Fischer

1 A BILL for an Act to amend and reenact subsections 1, 2, and 3 of section 53-06.2-11 of the  
2 North Dakota Century Code, relating to bet payoff formulas.

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

4 **SECTION 1. AMENDMENT.** Subsections 1, 2, and 3 of section 53-06.2-11 of the  
5 North Dakota Century Code are amended and reenacted as follows:

- 6 1. a. For each day of a live race meet or a simulcast day in this state on win, place,  
7 and show parimutuel pools, the licensee shall deduct up to twenty percent of  
8 the total win, place, and show pool. On the first eleven million dollars of total  
9 wagering handle in each biennium, two percent must be paid to the state  
10 treasurer to be deposited in the general fund. One-half of one percent must be  
11 paid to the North Dakota racing commission to be used for the North Dakota  
12 purse fund. One-half of one percent must be paid to the North Dakota racing  
13 commission to be used for the North Dakota breeders' fund for the respective  
14 breed of horses racing at that meet. ~~On the first thirty five million five hundred~~  
15 ~~thousand dollars of total wagering handle in each biennium, two percent must~~  
16 ~~be paid to the state treasurer to be deposited in the general fund.~~ ~~On the total~~  
17 ~~wagering handle in excess of thirty five million five hundred thousand dollars~~  
18 ~~in each biennium, one-half of one percent must be paid to the state treasurer~~  
19 ~~to be deposited in the general fund.~~  
20 b. On the wagering handle on win, place, and show wagering pools in excess of  
21 eleven million dollars in each biennium, one-sixteenth of one percent must be  
22 paid to the commission to be deposited in the purse fund; one-sixteenth of  
23 one percent must be paid to the commission to be deposited in the promotion  
24 fund; one-sixteenth of one percent must be paid to the commission to be

- 1                   deposited in the breeders' fund; and one-sixteenth of one percent must be  
2                   paid to the state treasurer to be deposited in the general fund.
- 3           2. For each day of a live race meet or a simulcast day in this state for each daily  
4           double, quinella, exacta, trifecta, or other wager combining two or more horses for  
5           winning payoffs, the licensee shall deduct up to twenty-five percent of each  
6           wagering pool. Of each wagering dollar, the amounts to be deposited in the  
7           general fund and other funds are as follows:
- 8           a. On the first ~~one hundred two~~ eleven million ~~four hundred thousand~~ dollars of  
9           wagering handle in each biennium, one-half of one percent must be paid to  
10           the commission to be deposited in the purse fund; one-half of one percent  
11           must be paid to the commission to be deposited in the promotion fund;  
12           one-half of one percent must be paid to the commission to be deposited in the  
13           breeders' fund; and two and one-half percent must be paid to the state  
14           treasurer to be deposited in the general fund.
- 15           b. On the wagering handle in excess of ~~one hundred two~~ eleven million ~~four~~  
16           ~~hundred thousand~~ dollars in each biennium, ~~one-half~~ one-sixteenth of one  
17           percent must be paid to the commission to be deposited in the purse fund;  
18           ~~one-half~~ one-sixteenth of one percent must be paid to the commission to be  
19           deposited in the promotion fund; ~~one-half~~ one-sixteenth of one percent must  
20           be paid to the commission to be deposited in the breeders' fund; and  
21           ~~one-fourth~~ one sixteenth of one percent must be paid to the state treasurer to  
22           be deposited in the general fund.
- 23           3. Unclaimed tickets ~~and breakage~~ from each live race meet and simulcast program  
24           as defined by the commission and the percentage of the wagering pool to be paid  
25           to the racing promotion fund under subsections 1 and 2 must be retained by the  
26           commission in a special fund to assist in improving and upgrading racetracks in the  
27           state, for the promotion of horse racing within the state, and in developing new  
28           racetracks in the state as necessary and approved by the commission.
- 29           Notwithstanding this section, the commission may, upon approval of the attorney  
30           general, receive no more than twenty-five percent of this fund for the purpose of  
31           payment of operating expenses of the commission. In lieu of breakage, one-fourth

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1                   of one percent of the first eleven million dollars wagered in the biennium from each  
2                   live race meet and simulcast program as defined by the commission must be paid  
3                   to the commission and retained by the commission. All breakage must go to the  
4                   provider.