

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 1314

A bill to amend 1951 PA 90, entitled

"An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act,"

by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254); and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 2. ~~All funds held by any licensee for the payment of~~  
2 ~~outstanding winning tickets for any race meeting, which funds~~  
3 ~~have not been claimed by the lawful owners thereof within 60 days~~  
4 ~~immediately following the close of the race meeting, shall be~~  
5 ~~paid by the licensee to the racing commissioner by certified~~  
6 ~~check or cashier's check together with the original records or~~  
7 ~~certified copies of all records of the licensee pertaining to the~~

**SB1314, As Passed House, December 9, 1998**

Senate Bill No. 1314

2

1 ~~outstanding tickets.~~ FOR THE CALENDAR YEAR 1998 AND EACH YEAR  
2 THEREAFTER, ALL FUNDS HELD BY ANY LICENSEE FOR THE PAYMENT OF  
3 OUTSTANDING WINNING TICKETS FOR ANY RACE MEETING CONDUCTED UNDER  
4 THE HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.301 TO  
5 431.336, WHICH HAVE NOT BEEN CLAIMED BY THE OWNER OF THOSE FUNDS  
6 WITHIN 60 DAYS AFTER THE CLOSE OF THE RACE MEETING, SHALL BE  
7 RETAINED BY THE LICENSEE AND DISTRIBUTED AS FOLLOWS:

8 (A) IF THE LICENSEE IS A STANDARDBRED RACE MEETING  
9 LICENSEE:

10 (i) FIFTY PERCENT OF THE FUNDS SHALL BE RETAINED BY THE  
11 LICENSEE.

12 (ii) FIFTY PERCENT OF THE FUNDS SHALL BE DEPOSITED INTO THE  
13 MICHIGAN AGRICULTURE EQUINE FUND CREATED IN SECTION 20(3) OF THE  
14 HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.320, AND DESIG-  
15 NATED FOR STANDARDBRED PROGRAMS DESCRIBED IN SECTION 20(5)(A),  
16 (C), (E), (H), AND (I) OF THE HORSE RACING LAW OF 1995, 1995  
17 PA 279, MCL 431.320.

18 (B) IF THE LICENSEE IS A THOROUGHBRED RACE MEETING LICENSEE,  
19 THEN 100% OF THE FUNDS FOR 1998 SHALL BE EARMARKED FOR THE DEVEL-  
20 OPMENT AND CAPITAL IMPROVEMENT FOR THE PURPOSE OF ACCOMMODATING  
21 THOROUGHBRED RACING AT EXISTING LICENSED RACING FACILITIES THAT  
22 HAVE OPERATED WITHIN THE 2 YEARS IMMEDIATELY BEFORE THE EFFECTIVE  
23 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION WITHIN A  
24 CITY AREA OR AT A FACILITY LOCATED OUTSIDE A CITY AREA UPON WRIT-  
25 TEN APPROVAL OF A CERTIFIED THOROUGHBRED HORSEMEN'S ORGANIZATION  
26 AND APPROVED BY THE RACING COMMISSIONER. AS USED IN THIS  
27 SUBDIVISION, "CITY AREA" AND "HORSEMEN'S ORGANIZATION" MEAN THOSE

**SB1314, As Passed House, December 9, 1998**

Senate Bill No. 1314

3

1 TERMS AS DEFINED IN SECTION 2 OF THE HORSE RACING LAW OF 1995,  
2 1995 PA 279, MCL 431.302. FOR CALENDAR YEAR 1999 AND EVERY YEAR  
3 THEREAFTER:

4 (i) FIFTY PERCENT OF THE FUNDS SHALL BE RETAINED BY THE  
5 LICENSEE.

6 (ii) FIFTY PERCENT OF THE FUNDS SHALL BE DEPOSITED IN THE  
7 MICHIGAN AGRICULTURE EQUINE FUND ESTABLISHED IN SECTION 20(3) OF  
8 THE HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.320, AND DES-  
9 IGNATED FOR THOROUGHBRED PROGRAMS DESCRIBED IN SECTION 20(6)(A)  
10 TO (E) OF THE HORSE RACING LAW OF 1995, 1995 PA 279,  
11 MCL 431.320.

12 (C) IF THE LICENSEE IS A LIGHT HORSE RACE MEETING LICENSEE:

13 (i) FIFTY PERCENT OF THE FUNDS SHALL BE RETAINED BY THE  
14 LICENSEE.

15 (ii) FIFTY PERCENT OF THE FUNDS SHALL BE DEPOSITED IN THE  
16 MICHIGAN AGRICULTURE EQUINE FUND ESTABLISHED IN SECTION 20(3) OF  
17 THE HORSE RACING LAW OF 1995, 1995 PA 279, MCL 431.320, AND DES-  
18 IGNATED FOR LIGHT HORSE PROGRAMS DESCRIBED IN SECTION 20(7), (8),  
19 AND (9) OF THE HORSE RACING LAW OF 1995, 1995 PA 279,  
20 MCL 431.320.

21 (D) FUNDS FOR UNCASHED TICKETS FOR CALENDAR YEAR 1998 HELD  
22 BY THE DEPARTMENT OF TREASURY THAT WERE REMITTED BY LICENSEES  
23 SHALL BE DISTRIBUTED AS PROVIDED IN THIS SECTION.

24 Sec. 3. ~~Every~~ A licensee who pays ~~any~~ A winning ticket  
25 subsequent to the last day of a race meeting shall preserve the  
26 cashed winning ticket and ~~shall~~ deliver it to the racing

**SB1314, As Passed House, December 9, 1998**

Senate Bill No. 1314

4

1 commissioner. ~~in addition to the records provided for in section~~  
2 ~~2 hereof.~~

3       Sec. 4. The licensee upon taking proper receipt from the  
4 racing commissioner for funds and records delivered to ~~said~~ THE  
5 RACING commissioner under ~~the provisions of~~ this act AND DELIV-  
6 ERING A COPY OF THE CASHED WINNING TICKET TO THE RACING  
7 COMMISSIONER shall be released and discharged for all liability  
8 or accountability to the owner of ~~such~~ THE funds, as well as  
9 the requirements of preparing and filing of any report concerning  
10 ~~such~~ THE property to ~~any~~ A state, county or municipal board,  
11 commission or agency, except ~~such as shall have been~~ THOSE THAT  
12 WERE required or accrued ~~prior to~~ BEFORE the date of ~~such~~ THE  
13 required delivery of ~~said~~ THE funds and report to the ~~said~~  
14 RACING commissioner. ~~Provided, That said~~ HOWEVER, THE deliv-  
15 ery of ~~such~~ THE funds and reports to the RACING commissioner by  
16 ~~any~~ A licensee shall not release or discharge ~~said~~ THE  
17 licensee from the powers granted to the commissioner ~~by~~ UNDER  
18 section 5. ~~of this act.~~

19       Enacting section 1. Sections 1, 5, and 6 of 1951 PA 90,  
20 MCL 431.251, 431.255, and 431.256, are repealed.