



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code: Section:

[Up^](#) [Add To My Favorites](#)

BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400 - 22949.92.2] (Division 8 added by Stats. 1941, Ch. 44.)

CHAPTER 4. Horse Racing [19400 - 19668] (Chapter 4 repealed and added by Stats. 1959, Ch. 1828.)

ARTICLE 10. Revenue [19620.3 - 19642.1] (Article 10 added by Stats. 1959, Ch. 1828.)

19620.3. The Horse and Jockey Safety and Welfare Account is hereby created in the State Treasury. Notwithstanding Sections 19606.1, 19616.51, 19620, 19620.1, and 19632, Section 13340 of the Government Code, or any other law, moneys from license fees imposed pursuant to Article 3 (commencing with Section 19460) shall be deposited in the Horse and Jockey Safety and Welfare Account and be continuously appropriated without regard to fiscal years for allocation by the Department of Finance to the board for equine safety measures to improve the integrity and safety of horse racing that shall include, but are not limited to, contracting for additional state veterinarians, stewards, and infrastructure support related to the safety and welfare of racehorses and jockeys.

(Added by Stats. 2020, Ch. 251, Sec. 8. (AB 1974) Effective January 1, 2021.)

19640. All money representing penalties or fines imposed by the stewards of a horse race meeting shall be collected by the licensee of the meeting and paid to the board within 10 business days after its close, and the board shall deposit all those moneys in the Horse and Jockey Safety and Welfare Account established pursuant to Section 19620.3, and be continuously appropriated without regard to fiscal years for allocation by the Department of Finance to the board for horse welfare and safety measures. The board shall publicly disclose on its internet website the horse welfare and safety measures it funds with these moneys. For purposes of this section, horse welfare and safety measures shall include all of the following:

- (a) Contracting for additional state veterinarians.
- (b) Adding additional stewards.
- (c) Improving or adding race track infrastructure to directly improve the safety and welfare of horses and riders.

(Amended by Stats. 2020, Ch. 251, Sec. 9. (AB 1974) Effective January 1, 2021.)

19641. (a) (1) Except as provided in subdivision (b), any redistributable money in a parimutuel pool subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within that period, shall be paid to the board, as follows:

(A) An estimated payment equal to 20 percent of the preceding year's unclaimed redistributable money paid pursuant to this paragraph shall be paid to the board on July 1, October 1, January 1, and April 1, or the next business day thereafter.

(B) On May 30, or the next business day thereafter, of the year following the close of a horse racing meeting, the association shall pay to the board all of the redistributable funds that are owed it pursuant to this paragraph, less estimated payments made pursuant to subparagraph (A).

(2) The money received by the board under this subdivision resulting from thoroughbred, harness, or quarter horse meetings, but excluding the meetings of the California Exposition and State Fair or of a county, district agricultural association, or citrus fruit fair, shall be used by the board to support research on matters pertaining to horse racing and racetrack security, but the money shall be subject to annual budgetary review by the Legislature. All of the redistributable money received by the board from other meetings shall be paid immediately into the State Treasury to the credit of the General Fund.

(b) (1) One-half of the redistributable money resulting from the thoroughbred, harness, or quarter horse meetings, but excluding the meetings of the California Exposition and State Fair or county, district agricultural association, or citrus fruit fair meetings, shall be distributed to a welfare fund established for the benefit of horsemen and horsewomen and backstretch personnel, as follows:

(A) An estimated payment equal to 20 percent of the preceding year's unclaimed redistributable money distributed pursuant to this paragraph shall be distributed to the welfare fund on July 1, October 1, January 1, and April 1, or the next business day

thereafter.

(B) On May 30, or the next business day thereafter, of the year following the close of a horse racing meeting, the association shall pay to the welfare fund all of the redistributable funds that are owed it pursuant to this paragraph, less estimated payments made pursuant to subparagraph (A).

(2) The welfare fund shall make an accounting to the board within one calendar year of the receipt of the payment.

(3) Upon approval of the board, moneys under this subdivision may be used to provide treatment for, and support the health care needs of, licensees under this chapter, employees of racing associations, and members of horsemen's and horsewomen's organizations and other racing-related charitable organizations representing or assisting backstretch personnel, if the need for the treatment and support is related to the person's participation in the horse racing industry.

(c) Except as provided in subdivision (a) or (b), any remaining redistributable money in a parimutuel pool subject to payment to a claimant pursuant to Section 19598, but not successfully claimed within the period specified in that section, shall be distributed one-half to the board, for the purposes specified and in the manner specified in subdivision (a), and one-half to the welfare fund established by the horsemen's and horsewomen's organization described in subdivision (b) in the manner specified in subdivision (b).

(Amended by Stats. 2017, Ch. 420, Sec. 3. (AB 1723) Effective January 1, 2018.)

19641.2. (a) The nonprofit foundation authorized to receive funds pursuant to Section 19641 shall use those funds to administer a health and welfare trust fund without prejudice and for the benefit of every eligible person. The officers and directors of the health and welfare trust fund shall have a fiduciary responsibility to manage the fund for the benefit of the beneficiaries.

(b) Every employer of backstretch workers shall, upon request, submit in writing or electronically to the administrator of the welfare program for backstretch workers any employment records necessary for prompt payment of benefits and proper administration of the program. Upon request, employers shall also provide to the administrator access to any employment records necessary for prompt payment of benefits and proper administration of the program.

(c) At least one member of the health and welfare fund board shall be a member without financial interest in the horse racing industry appointed from a list of nominees submitted jointly by the California State Council of the Service Employees International Union, the Jockey's Guild, and the California Teamsters Public Affairs Council.

(d) Nothing in this section is intended to affect the status of the welfare fund as a charity under Section 501(c)(3) of the federal Internal Revenue Code or its compliance with the Charitable Purposes Act (Article 7 (commencing with Section 12580) of Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code).

(Amended by Stats. 2005, Ch. 22, Sec. 5. Effective January 1, 2006.)

19642. Cash vouchers that are not redeemed within 365 days of the close of the racing meeting at which the voucher was purchased shall be distributed to a nonprofit organization designated by the board for purposes of maintaining a data base of horseracing information to further the purposes of Section 19444.

(Added by Stats. 1994, Ch. 311, Sec. 12. Effective July 21, 1994.)

19642.1. In addition to the distributions specified in Sections 19605.7, 19605.71, and 19605.72, from the amounts that would normally be available for commissions and purses from wagering on all breeds, an amount not to exceed 0.05 percent of the total amount handled by each satellite wagering facility shall be distributed to the nonprofit organization designated by the board for purposes of maintaining a database of horse racing information to further the purposes of Section 19444. The amount distributable to the nonprofit organization initially shall be 0.05 percent of the total amount handled by each satellite wagering facility and may be adjusted by the board, in its discretion. The nonprofit organization shall annually submit its budget for the ensuing calendar year to the board at its November meeting and shall file quarterly financial statements with the board.

(Added by Stats. 2010, Ch. 283, Sec. 8. (SB 1072) Effective January 1, 2011.)