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AB-1074 Horse racing. (2023-2024)

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Assembly Bill No. 1074

CHAPTER 275

An act to amend Sections 19531 and 19605.52 of the Business and Professions Code, relating to horse racing.

[Approved by Governor September 30, 2023. Filed with Secretary of State September 30, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1074, Alanis. Horse racing.

The Horse Racing Law vests the California Horse Racing Board with jurisdiction and supervision over horse racing meetings in the state. The Horse Racing Law requires the board to issue licenses to associations and fairs that participate in horse racing meetings with parimutuel wagering and to allocate racing dates to those associations and fairs in accordance with that law. The Horse Racing law authorizes the board to issue a license to an association or a fair to conduct a horse racing meeting in accordance with its provisions at the track specified in the written application, as specified. Under the Horse Racing Law, the board may allocate racing weeks to an applicant, subject to specified limitations, and specify the racing days, dates, and hours for horse racing meetings that will be in the public interest and will subserve the purposes of that law. The Horse Racing Law requires the board to make allocations of racing weeks as it deems appropriate and specifies the maximum number of racing weeks that may be allocated for horse racing other than at fairs, including, for thoroughbred racing, a maximum of 44 weeks per year of racing weeks in the northern zone and a maximum of 49 weeks per year in the combined central and southern zones.

If the board does not license a thoroughbred race meet to be conducted by a racing association at a racetrack located in a specified location in the northern zone after July 1, 2024, this bill would deem a thoroughbred racing association, or racing fair, licensed to meet in the southern or central zone to be operating in the northern zone during certain racing weeks for the purpose of conducting all permissible forms of wagering in the northern zone and making and receiving required distributions from those wagers. The bill would require mandatory distributions to be made in accordance with requirements applicable to the northern zone, as specified, and would require amounts generated for purses and commissions to be distributed in accordance with prescribed requirements.

The Horse Racing Law authorizes the board to permit fairs to operate satellite wagering facilities at their fairgrounds, under certain conditions. In addition, the Horse Racing Law permits any fair in the Counties of Kern or Shasta, with the approval of the Department of Food and Agriculture and the authorization of the board, to operate one satellite wagering facility within the boundaries of the fair, as specified.

This bill would permit any fair in the County of Stanislaus, with the approval of the Department of Food and Agriculture and the authorization of the board, to operate one satellite wagering facility within the boundaries of the fair, on the same conditions as apply in the Counties of Kern and Shasta.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 19531 of the Business and Professions Code is amended to read:

19531. (a) The board shall make allocations of racing weeks, including simultaneous racing between zones, as it deems appropriate. The maximum number of racing weeks that may be allocated for horse racing other than at fairs, shall be as follows:

- (1) For thoroughbred racing: 44 weeks per year in the northern zone; and 49 weeks per year in the combined central and southern zones.
- (2) For harness racing: 25 weeks per year in the northern zone.
- (3) For quarter horse racing: 25 weeks per year in the northern zone.
- (4) For harness racing and quarter horse racing: a total of 77 weeks per year in the combined central and southern zones.

(b) In its written application for a license, an applicant shall state the time of day, consistent with this chapter, during which it will conduct its racing meeting, and particularly the first race starting time for the various racing days. After receiving a license, a licensee shall not change the first race starting time without securing prior approval of the board.

(c) Notwithstanding this section or any other provision in this chapter, the following provisions apply:

- (1) From the weeks available in the combined central and southern zones pursuant to subdivision (a), the board shall allocate a minimum of seven weeks per year to a thoroughbred racing association to conduct thoroughbred racing at a racetrack that was used to conduct a thoroughbred race meeting in the southern zone prior to 2012.
- (2) The board shall not allocate dates to a thoroughbred association in the central zone for the purpose of conducting racing if a thoroughbred racing association is conducting racing in the southern zone on the same date during daytime hours.
- (3) From the weeks available in the combined central and southern zones pursuant to subdivision (a), the board shall allocate a minimum of 25 weeks per year to a thoroughbred racing association to conduct thoroughbred racing at a racetrack that was used to conduct a thoroughbred race meeting in the central zone prior to 2012.
- (4) The board shall not allocate dates to a thoroughbred association in the southern zone for the purpose of conducting racing if a thoroughbred racing association is conducting racing in the central zone on the same date during daytime hours.
- (5) From the weeks available in the combined central and southern zones pursuant to subdivision (a), the board may allocate a maximum of five weeks per year to a thoroughbred racing association to conduct thoroughbred racing at a racetrack in the southern zone that was not used to conduct a thoroughbred race meeting in the southern zone prior to 2012.

(d) (1) Notwithstanding any other law, if the board does not license a thoroughbred race meet to be conducted by a racing association at a racetrack located in the cities of Berkeley and Albany after July 1, 2024, a thoroughbred racing association, or racing fair, in the southern or central zone licensed by the board to conduct a thoroughbred race meet or fair meet shall, during racing weeks not allocated by the board for a race meet in the northern zone, be deemed to be operating in the northern zone for the purpose of conducting all permissible forms of wagering in the northern zone pursuant to this chapter and making and receiving required distributions from those wagers in accordance with this chapter.

(2) Required distributions described in paragraph (1) shall be made in accordance with the requirements applicable to a racing association in the northern zone and any consent or approval rights shall be exercised by the appropriate racing association or racing fair in the central or southern zone conducting racing.

(3) The amounts generated for purses and commissions pursuant to this subdivision shall be used to pay simulcast funding requirements and board support that the thoroughbred racing associations and racing fair in the central or southern zones are required to make under Section 19616.51. Any remaining funds after those payments are made shall be distributed to each thoroughbred racing association and racing fair in the central and southern zone proportionally based on their respective handle in the central and southern zone during the previous fiscal year and that money shall be divided between purses and commissions in the same relative proportion as was generated in the central and southern zone during the previous fiscal year.

SEC. 2. Section 19605.52 of the Business and Professions Code is amended to read:

19605.52. Notwithstanding subdivision (a) of Section 19605, and Section 19605.1, any fair in the Counties of Kern, Shasta, or Stanislaus may, with the approval of the Department of Food and Agriculture and the authorization of the board, subject to the conditions specified in Section 19605.3, operate one satellite wagering facility within the boundaries of that fair.