

Amendment to SB 112-FN

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Pari-Mutuel Pools. RSA 284:22 is repealed and reenacted to read as follows:

4 284:22 Pari-Mutuel Pools.

5 A licensee under this chapter may sell pari-mutuel pools in accordance with this chapter and
6 rules adopted by the lottery commission. Pari-mutuel pools shall be sold within the enclosure of the
7 racetrack where a licensed race or race meet is held or as provided in RSA 284:22-a, and not
8 elsewhere.

9 2 Pari-Mutuel Pools on Historic Horse Racing. RSA 284:22-b, II is repealed and reenacted to
10 read as follows:

11 II. In order to be eligible for a license to sell pari-mutuel pools on historic races, an applicant
12 shall have been either:

13 (a) A game operator employer licensed under RSA 287-D as of May 1, 2020, and still
14 licensed as of June 8, 2021. For licensees qualified under this subparagraph, the sale of pari-mutuel
15 pools on historic horse races must take place within the enclosure of a facility at which the licensee
16 holds its licensed gaming activities under RSA 287-D, and that such facility is located within the city
17 or town in which the licensee held its license on May 1, 2020; or

18 (b) An entity that applied for a game operator employer license between January 1,
19 2023, and October 18, 2023, provided that the applicant is subsequently approved, and the applicant
20 entity has the same ownership and officers as the time of their initial application. For licensees that
21 are qualified under this subparagraph, the sale of pari-mutuel pools on historic horse races must
22 take place within the enclosure of a facility at which the applicant entity holds its licensed gaming
23 activities under RSA 287-D, and that such facility is located within the city or town identified on the
24 original application filed with the lottery commission within the time frame identified under this
25 subparagraph.

26 3 New Paragraph; Pari-Mutuel Pools on Historic Horse Races; Transfer or Sale of Licenses
27 Prohibited. Amend RSA 284:22-b by inserting after paragraph VII the following new paragraph:

28 VIII. An application that is approved by the lottery commission, and a license that is
29 granted shall not be permitted to be transferred or sold.

30 4 Rights of Licensee. Amend RSA 284:39, I to read as follows:

31 I. Any licensee under this chapter may refuse admission to, or eject from, the grounds or the
32 enclosure of the racetrack or facility where a licensed live race or race meet or is being held or where

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1 licensed simulcasting **or historic horse racing** is held, any person or persons whose presence or
2 conduct, in the sole judgment of the licensee, is inconsistent with the orderly and proper conduct of
3 the **historic horse racing**, live or simulcast race meet, or is detrimental to the sport of racing,
4 whether or not such presence or offensive conduct is associated with gambling.

5 5 Facilities; Rental. Amend RSA 287-D:19, II to read as follows:

6 II.(a) If a charitable organization contracts for services from a game operator employer
7 licensed under RSA 287-D:8, the game operator employer shall provide equipment and shall not
8 charge the charitable organization for such equipment. No charitable organization shall receive less
9 than 35 percent of the gross revenues from any games of chance minus any prizes paid ~~[and rental~~
10 ~~charge under subparagraph (b)].~~

11 ~~(b) [If a game operator employer charges rent, such charge shall be by written~~
12 ~~agreement and shall be a fixed payment, not based on a percentage of what the charitable~~
13 ~~organization receives from the game of chance, and shall reflect fair rental value of the property for~~
14 ~~any use, not only as a place to hold a game of chance.]~~

15 ~~[(e)]~~ Any ~~[service or rental]~~ agreement entered into by the charitable organization shall
16 be submitted with the charitable organization's license application for review by the lottery
17 commission.

18 ~~[(d)]~~ **(c)** Under no circumstances shall a charitable organization sustain any loss from
19 games of chance, such that its share of the gross revenues minus any prizes paid~~[-and any rent paid~~
20 ~~or due,]~~ is less than zero dollars, during a license period with a single game operator.

21 ~~[(e)]~~ **(d)** All contracts between a game operator employer and a charitable organization
22 to conduct games of chance under this chapter shall contain the following language: "This
23 agreement represents the entire agreement between the parties. No charge or fee of any kind that is
24 not contained in this agreement shall be paid by the charity."

25 ~~[(f)]~~ **(e)** No fee for any service which is required by or provided by the game operator
26 employer or primary game operator shall be allowed.

27 6 Repeal. The following are repealed:

28 I. RSA 284:3, relative to employee residency.

29 II. RSA 284:32-a, relative to annual financial statements.

30 7 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill changes the redistribution of pari-mutuel wagers, changes license eligibility requirements, prohibits the sale or transfer of licenses, amends the rights of licensees, changes the calculation of the percentage paid to charitable organizations, eliminates employee state residency restrictions, and eliminates annual financial statement requirements.