

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THE BOARD OF HORSERACING DISCRETION IN  
5 ALLOCATING SOURCE MARKET FEES; PROVIDING THAT THE BOARD MAY ALLOCATE CERTAIN FEES  
6 TO THE OWNER BONUS PROGRAM AND THE BREEDER BONUS PROGRAM; AND AMENDING SECTION  
7 23-4-302, MCA."  
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10

11 **Section 1.** Section 23-4-302, MCA, is amended to read:

12 **"23-4-302. Distribution of deposits -- breakage.** (1) Each licensee conducting the parimutuel  
13 system for a simulcast race meet shall distribute all funds deposited in any pool to the winner of the parimutuel  
14 pool, less an amount that in the case of exotic wagering on races may not exceed 26% and in all other races  
15 may not exceed 20% of the total deposits plus the odd cents of all redistribution to be based on each dollar  
16 deposited exceeding a sum equal to the next lowest multiple of 10, known as "breakage".

17 (2) Each licensee conducting the parimutuel system for a simulcast race meet shall distribute all funds  
18 deposited with the licensee in any pool for the simulcast race meet, less an amount that in the case of exotic  
19 wagering on these races may not exceed 26%, unless the signal originator percentage is higher, in which case  
20 the Montana simulcast licensee may adopt the same percentage withheld as the place where the signal  
21 originated, and that in all other of these races may not exceed 20% of the total deposits plus the odd cents of all  
22 redistribution to be based on each dollar deposited exceeding a sum equal to the next lowest multiple of 10,  
23 known as "breakage".

24 (3) Each licensee conducting a parimutuel system for a simulcast race meet shall deduct 1% of the  
25 total amount wagered on the race meet and deposit it in a state special revenue account. The board shall then  
26 distribute all funds collected under this subsection to live race purses or for other purposes that the board  
27 considers appropriate for the good of the existing horseracing industry.

28 (4) (a) Source market fees from licensed advance deposit wagering hub operators must be deposited



1 by the board in the board's state special revenue account.

2 (b) The board shall pay 80% of the source market fees generated between May 1 and the following  
3 April 30 to live race meet licensees based on each live race meet licensee's percentage of the total annual on-  
4 track parimutuel handle during the previous live race season. Prior to the beginning of each year's live race  
5 season, the correct percentage must be distributed by the board to each live race meet licensee to be used for  
6 race purses or other purposes that the board considers appropriate for the good of the horseracing industry.

7 (c) Ten percent of the source market fees paid to the board in a calendar year may be retained by the  
8 board for the payment of administrative expenses. One-half of the remaining 10% of the source market fees  
9 paid to the board in a calendar year ~~must~~ may, by January 31 of the following calendar year, be paid to the  
10 owner bonus program and the other one-half to the breeder bonus program.

11 (5) (a) The parimutuel network licensee conducting fantasy sports league wagering shall distribute all  
12 funds deposited in the pool to the winner of the parimutuel pool less the takeout amount of not more than 30%  
13 of the total deposits.

14 (b) The takeout amount must be distributed according to the yearly license agreement between the  
15 parimutuel facility licensee, the parimutuel network licensee, and the board. No more than 10% of the amount  
16 collected under this subsection (5)(b) may be appropriated by the legislature for administration of this chapter.  
17 The remaining portion collected under this subsection (5)(b) must be deposited in a state special revenue  
18 account. The board shall then distribute this portion to live race purses and for other purposes that the board  
19 considers appropriate for the good of the existing horseracing industry.

20 (c) The odd cents of all redistribution based on each dollar deposited that exceeds a sum equal to the  
21 next lowest multiple of 10, known as "breakage", as well as unclaimed winning tickets from each parimutuel  
22 pool, must be distributed by the board to live race purses or for other purposes that the board considers  
23 appropriate for the good of the existing horseracing industry."

24 - END -