

# SENATE . . . . . No. 206

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## The Commonwealth of Massachusetts

PRESENTED BY:

*James E. Timilty*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to thoroughbred horse breeding.

PETITION OF:

NAME:

*James E. Timilty*

DISTRICT/ADDRESS:

*Bristol and Norfolk*

# SENATE . . . . . No. 206

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 206) of James E. Timilty for legislation relative to thoroughbred horse breeding. Economic Development and Emerging Technologies.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 242 OF 2015-2016.]

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act relative to thoroughbred horse breeding.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 128 of the General Laws is hereby amended by striking out section  
2   2(g) and inserting in place thereof the following:-

3           (g) Promote, develop and encourage through the Massachusetts Thoroughbred Breeding  
4   Program, the breeding of thoroughbred horses in the commonwealth by offering cash prizes to  
5   breeders of such horses in the following manner: the Massachusetts Thoroughbred Breeders  
6   Association, Inc. shall from time to time in consultation with the chairman of the racing  
7   commission and the program manager for the equine division in the department of agriculture set  
8   the percentages for bonuses to be awarded to the breeder of a Massachusetts bred thoroughbred  
9   horse, of the purse monies won by said thoroughbred horse in any pari-mutuel running horse race  
10   if said horse finishes first, second or third; the percentage for a cash prize to the owner of the

11 stallion, at the time of service to the dam of such purse winner; provided, however, that (i) the  
12 stallion was registered by February 1st and stood the entire breeding season for that year in the  
13 commonwealth, (ii) the horse finishes first, second or third, and (iii) said stallion is registered  
14 with the department of food and agriculture and the Massachusetts Thoroughbred Breeders  
15 Association and was not registered to stand in any other state that year; the percentage for a cash  
16 prize for the purse monies won by said thoroughbred horse in any unrestricted or restricted pari-  
17 mutuel running horse race held within or outside the commonwealth to the owner of a  
18 Massachusetts bred horse if said horse finishes first, second or third.

19         The Massachusetts Thoroughbred Breeders Association, Inc. is further authorized to pay  
20 cash purses for races to be limited to Massachusetts bred thoroughbred race horses from the  
21 Massachusetts thoroughbred breeding program at licensed pari-mutuel race meetings authorized  
22 by the state racing commission and to pay cash incentives to encourage breeding in  
23 Massachusetts . Such races may be betting or non-betting races and may or may not be scheduled  
24 races by the licensee conducting the racing meeting. Purse monies paid by the association under  
25 this section may be in such amounts as the association shall determine and may be the sole cash  
26 purse for such races or may be supplemental to the cash purses established by the licensee;  
27 provided, however, that no person, partnership, corporation or group of persons may receive  
28 more than five thousand dollars as a cash prize breeder's award from the association for an  
29 individual horse race within the commonwealth.

30         No person shall be eligible for the prizes provided herein unless the following standards  
31 are met:

(1) The foal of a thoroughbred mare that drops said foal in the commonwealth and is bred back to a Massachusetts registered stallion shall be a Massachusetts bred; or

(2) The foal of a thoroughbred mare who resides in the commonwealth for at least 90 days which includes foaling and foals in the commonwealth shall be Massachusetts bred. This change sunsets on December 31, 2020 and reverts back to original wording.

(3) In either case of subparagraph (1) or (2) each thoroughbred foal dropped in the commonwealth shall be registered with the Jockey Club, the department of food and agriculture and the Massachusetts Thoroughbred Breeders Association.

(4) Prior to the first day of September of each year, each person standing a thoroughbred stallion in the commonwealth at either private or public service shall file with the department of food and agriculture and the Massachusetts Thoroughbred Breeders Association: (a) a list of all thoroughbred mares bred to such stallion in that year; and a verified statement representing that said stallion stood the entire breeding season in the commonwealth.

The Massachusetts Thoroughbred Breeders Association, Inc. is hereby further authorized to expend up to twelve percent of the amount received each fiscal year for said program for advertising, marketing, promotion, and administration for the thoroughbred breeding program in the commonwealth.