

# SENATE . . . . . No. 2305

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Senate, July 30, 2019 -- Text of the Senate amendment (Senator Rodrigues) to the House Bill relative to simulcasting and racing (House, No. 4003)

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
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1 SECTION 1. Section 55 of chapter 23K of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by striking out subsection (c) and inserting in place thereof  
3 the following subsection:-

4 (c) In addition to the tax imposed under subsection (b), a category 2 licensee shall pay a  
5 daily assessment of 4 per cent of its gross gaming revenue to the Race Horse Development Fund  
6 established in section 60 and a daily assessment of 5 per cent of its gross gaming revenue to the  
7 Education Fund established in section 64.

8 SECTION 2. Section 59 of said chapter 23K, as so appearing, is hereby amended by  
9 striking out, in line 46, the figure “14” and inserting in place thereof the following figure:- 16.5.

10 SECTION 3. Clause (2) of said section 59 of said chapter 23K, as so appearing, is hereby  
11 amended by striking out subclauses (j) to (l), inclusive, and inserting in place thereof the  
12 following 2 subclauses:-

13 (j) 15 per cent to the Transportation Infrastructure and Development Fund established in  
14 section 62; and

15 (k) 5 per cent to the Public Health Trust Fund established in section 58.

16 SECTION 4. Subsection (c) of section 60 of said chapter 23K, as so appearing, is hereby  
17 amended by adding the following paragraph:-

18 Notwithstanding the foregoing, in a calendar year in which no purses are awarded for live  
19 races at either a thoroughbred racing facility or at a standardbred racing facility, the commission  
20 may distribute the funds held for any such purpose that are not otherwise expended because of  
21 the nonexistence of purses for live races at either such facility for any other authorized  
22 expenditure under this subsection.

23 SECTION 5. The first paragraph of section 12A of chapter 494 of the acts of 1978 is  
24 hereby amended by striking out the words “and until July 31, 2019”, inserted by section 1 of  
25 chapter 159 of the acts of 2018, and inserting in place thereof the following words:- and until  
26 July 31, 2020.

27 SECTION 6. The last paragraph of said section 12A of said chapter 494 is hereby  
28 amended by striking out the words “July 31, 2019”, inserted by section 2 of said chapter 159, and  
29 inserting in place thereof the following words:- July 31, 2020.

30 SECTION 7. The introductory paragraph of section 13 of said chapter 494 is hereby  
31 amended by striking out the words “and until July 31, 2019”, inserted by section 3 of said  
32 chapter 159, and inserting in place thereof the following words:- and until July 31, 2020.

33 SECTION 8. Section 15 of said chapter 494 is hereby amended by striking out the words  
34 “and until July 31, 2019”, inserted by section 4 of said chapter 159, and inserting in place thereof  
35 the following words:- and until July 31, 2020.

36 SECTION 9. The first paragraph of section 9 of chapter 277 of the acts of 1986 is hereby  
37 amended by striking out the words “and until July 31, 2019”, inserted by section 5 of said  
38 chapter 159, and inserting in place thereof the following words:- and until July 31, 2020.

39 SECTION 10. The first sentence of the first paragraph of section 3 of chapter 114 of the  
40 acts of 1991 is hereby amended by striking out the words “and until July 31, 2019”, inserted by  
41 section 6 of said chapter 159, and inserting in place thereof the following words:- and until July  
42 31, 2020.

43 SECTION 11. The last paragraph of said section 3 of said chapter 114 is hereby  
44 amended by striking out the words “July 31, 2019”, inserted by section 7 of said chapter 159, and  
45 inserting in place thereof the following words:- July 31, 2020.

46 SECTION 12. The first paragraph of section 4 of said chapter 114 is hereby amended by  
47 striking out the words “and until July 31, 2019”, inserted by section 8 of said chapter 159, and  
48 inserting in place thereof the following words:- and until July 31, 2020.

49 SECTION 13. The last paragraph of said section 4 of said chapter 114 is hereby  
50 amended by striking out the words “July 31, 2019”, inserted by section 9 of said chapter 159, and  
51 inserting in place thereof the following words:- July 31, 2020.

52 SECTION 14. The first paragraph of section 5 of said chapter 114 is hereby amended by  
53 striking out the words “and until July 31, 2019”, inserted by section 10 of said chapter 159, and  
54 inserting in place thereof the following words:- and until July 31, 2020.

55 SECTION 15. Section 45 of chapter 139 of the acts of 2001 is hereby amended by  
56 striking out the words “July 31, 2019”, inserted by section 11 of said chapter 159, and inserting  
57 in place thereof the following words:- July 31, 2020.

58 SECTION 16. Section 20 of chapter 449 of the acts of 2006 is hereby amended by  
59 striking out the words “July 31, 2019”, inserted by section 12 of said chapter 159, and inserting  
60 in place thereof the following words:- July 31, 2020.

61 SECTION 17. Section 92 of chapter 194 of the acts of 2011 is hereby amended by  
62 striking out the figure “2019”, inserted by section 13 of said chapter 159, and inserting in place  
63 thereof the following figure:- 2020.

64 SECTION 18. Section 112 of said chapter 194 is hereby amended by striking out the  
65 figure “2019”, inserted by section 14 of said chapter 159, and inserting in place thereof the  
66 following figure:- 2020.

67 SECTION 19. Section 74 of chapter 10 of the acts of 2015 is hereby amended by striking  
68 out the figure “2019”, inserted by section 15 of said chapter 159, and inserting in place thereof  
69 the following figure:- 2020.

70 SECTION 20. Section 13 of chapter 176 of the acts of 2016 is hereby repealed.

71 SECTION 21. Notwithstanding section 2 of chapter 128A of the General Laws, sections  
72 1, 2, 2A and 4 of chapter 128C of the General Laws or any other general or special law to the  
73 contrary, the running race horse meeting licensee located in Suffolk county licensed to conduct  
74 live racing pursuant to said chapter 128A and simulcast wagering pursuant to said chapter 128C  
75 in calendar year 2019 shall remain licensed as a running horse racing meeting licensee until July

76 31, 2020 and shall remain authorized to conduct simulcast wagering pursuant to said chapter  
77 128C until July 31, 2020; provided, however, that the days between January 1, 2020 and  
78 December 31, 2020 shall be dark days pursuant to said chapter 128C and the licensee shall be  
79 precluded from conducting live racing during that period, unless it applies for and is granted a  
80 supplemental live racing license pursuant to said chapter 128A; provided further, that all  
81 simulcasts shall comply with the Interstate Horse Racing Act of 1978, 15 U.S.C. 3001 et seq. or  
82 other applicable federal law; provided further, that all simulcasts from states which have racing  
83 associations that do not require approval in compliance with the Interstate Horse Racing Act of  
84 1978, 15 U.S.C. 3004(a)(1)(A) shall require the approval of the New England Horsemen's  
85 Benevolent & Protective Association prior to being simulcast to a racing meeting licensee within  
86 the commonwealth; and provided further, that if the association agrees to approve the simulcast  
87 for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing  
88 meeting licensees.

89 SECTION 22. Sections 1 to 4, inclusive, shall take effect on November 1, 2019.