

No. 1980-119

AN ACT

SB 890

Amending the act of December 22, 1959 (P.L.1978, No.728), entitled, as amended, "An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," further providing for the employment of public employes and for the disposition of pari-mutuel pools in counties of the fourth class.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (a) of section 7.2, act of December 22, 1959 (P.L.1978, No.728), referred to as the Pennsylvania Harness Racing Law, amended February 25, 1972 (P.L.86, No.31), is amended to read:

Section 7.2. Prohibition of Interest by Public Officers, Public Employes and Party Officers in Pari-mutuel Racing Activities.—
(a) No public officer, public employe or party officer shall:

(1) Hold any license from the State Harness Racing Commission;
or

(2) Own or hold, directly or indirectly, any proprietary interest, stock or obligation of any firm, association or corporation (i) which is licensed by such commission to conduct pari-mutuel racing, or (ii) which is licensed to conduct its occupation, trade or business at race tracks at which pari-mutuel race meets are conducted, or (iii) which owns or leases to any licensed association or corporation a race track at which pari-mutuel racing is conducted, or (iv) which participates in the management of any licensee conducting pari-mutuel racing; or

(3) Hold any office or employment with any firm, association or corporation specified in clause (2) of this section; or

(4) Sell (or be a member of a firm or own ten per centum or more of the stock of any corporation which sells) any goods or services to any firm, association or corporation specified in clause (2) of this section.

The provisions of clause (3) of this subsection (a) shall not apply to a public employe [of a political subdivision] (other than a police officer or paid employe of a police department, sheriff's office, district attorney's office or other law enforcement agency) [whose compensation is less than twelve thousand dollars (\$12,000) per annum] : Provided, however, That such employment of employes of a

political subdivision may be prohibited by ordinance, resolution or local law adopted by the local legislative body or other governing board of such political subdivision.

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Section 2. The first paragraph of section 15 of the act, amended April 11, 1978 (P.L.23, No.12), is amended to read:

Section 15. Disposition of Pari-mutuel Pools.—Every corporation authorized under this act to conduct pari-mutuel betting at a harness horse race meeting on races run thereat shall distribute all sums deposited in any pari-mutuel pool to the holders of winning tickets therein, provided such tickets be presented for payment before April first of the year following the year of their purchase, less seventeen per centum of the total deposits plus the breaks from all wagers except that [in school districts of the first class and counties of the third class,] the amount distributed shall be less nineteen per centum of the total deposits plus the breaks from the exacta, daily double, quinella and other wagering involving two horses each racing day, and less twenty-five per centum of the total deposit plus the breaks from the trifecta and other wagering involving more than two horses in one or more races each racing day and less nineteen per centum from regular wagers for any permit holder whose total deposits in its pari-mutuel pool averaged less than three hundred thousand dollars (\$300,000) a day for the previous meeting of the permit holder: [and except that in counties of the fourth class the amount distributed shall be less nineteen per centum of the total deposits plus the breaks from the exacta, daily double, quinella and other wagering involving two horses each racing day and from the trifecta and other wagering involving more than two horses in one or more races each racing day:]

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Section 3. This act shall take effect immediately.

APPROVED—The 11th day of July, A. D. 1980.

DICK THORNBURGH