

# HOUSE BILL NO. 4310

March 07, 2019, Introduced by Rep. Vaupel and referred to the Committee on Regulatory Reform.

A bill to amend 1995 PA 279, entitled  
"Horse racing law of 1995,"  
by amending sections 8, 17, 20, and 22 (MCL 431.308, 431.317,  
431.320, and 431.322), as amended by 2016 PA 271.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 8. (1) The racing commissioner may issue the following  
2 general classes of licenses:

3           (a) Occupational licenses issued to individuals participating  
4 in, involved in, or otherwise having to do with horse racing, pari-  
5 mutuel wagering, or simulcasting at a licensed race meeting in this



1 state.

2 (b) Race meeting licenses issued annually for the succeeding  
3 year to persons to conduct live horse racing, simulcasting, and  
4 pari-mutuel wagering on the results of live and simulcast horse  
5 races at a licensed race meeting in this state under this act.

6 (c) Track licenses issued to persons to maintain or operate a  
7 racetrack at which 1 or more race meeting licensees may conduct  
8 licensed race meetings in this state.

9 (d) **Third-party facilitator licenses issued to persons**  
10 **contracted by race meeting licensees to facilitate wagering on live**  
11 **and simulcast racing. The racing commissioner shall establish the**  
12 **terms and conditions and the appropriate fee for a third-party**  
13 **facilitator license subject to all of the following:**

14 (i) The third-party facilitator must comply with consumer  
15 protections, as determined by the racing commissioner, to protect  
16 the public.

17 (ii) The third-party facilitator must cooperate in any audit  
18 necessary to comply with section 23.

19 (iii) The racing commissioner must have received from the race  
20 meeting licensee both a letter of intent and a certification that  
21 the race meeting licensee assumes and acknowledges responsibility  
22 for all conduct of its third-party facilitator.

23 (iv) The third-party facilitator must comply with the  
24 conditions and suitability standards under section 10(1)(e) and (f)  
25 and rules promulgated under this act.

26 (v) The license must terminate or expire as follows:

27 (A) On the date and at the time set by the racing commissioner  
28 in the license.

29 (B) When the contract with the race meeting licensee to



1 **facilitate live and simulcast wagering expires.**

2 **(C) If the license is suspended or revoked by the racing**  
3 **commissioner.**

4 (2) The racing commissioner shall not issue a race meeting  
5 license to a person if the person is licensed to conduct a licensed  
6 race meeting at another licensed racetrack in this state and the  
7 person has a controlling interest in or co-ownership of the other  
8 licensed racetrack.

9 Sec. 17. (1) The pari-mutuel system of wagering ~~upon~~**on** the  
10 results of horse races as permitted by this act ~~shall~~**is** not be  
11 ~~held or construed to be unlawful.~~ All forms of pari-mutuel wagering  
12 **must be** conducted ~~at a licensed~~**under a** race meeting ~~shall be~~  
13 **license** preapproved by the racing commissioner ~~under~~**by** rule or  
14 written order of the commissioner.

15 (2) ~~A holder of a race meeting license may provide a place in~~  
16 ~~the race meeting grounds or enclosure at which he or she may~~  
17 ~~conduct and supervise pari mutuel wagering on the results of horse~~  
18 ~~races as permitted by this act.~~ If pari-mutuel wagering is used at  
19 a race meeting, a totalisator or other device that is equal in  
20 accuracy and clearness to a totalisator and approved by the racing  
21 commissioner must be used. The odds display of the totalisator or  
22 other device must be placed in full view of the patrons.

23 (3) Subject to section 18(3), each holder of a race meeting  
24 license shall retain as his or her commission on all forms of  
25 straight wagering 17% of all money wagered involving straight  
26 ~~wagers~~**wagering** on the results of live and simulcast horse races  
27 conducted at the licensee's race meetings. Subject to section  
28 18(3), each holder of a race meeting license shall retain as his or  
29 her commission on all forms of multiple wagering ~~without~~ the



1 written permission of the racing commissioner not more than 28% and  
2 with the written permission of the racing commissioner not more  
3 than 35% of all money wagered involving any form of multiple ~~wager~~  
4 **wagering** on the results of live and simulcast horse races conducted  
5 at the licensee's race meeting. Except as otherwise provided by  
6 contract, 50% of all commissions from wagering on the results of  
7 live racing at the racetrack where the live racing was conducted  
8 ~~shall~~**must** be paid to the horsemen's purse pool at the racetrack  
9 where the live racing was conducted. As used in this subsection:

10 (a) "Straight wagering" means a wager made on the finishing  
11 position of a single specified horse in a single specified race.

12 (b) "Multiple wagering" means a wager made on the finishing  
13 positions of more than 1 horse in a specified race or the finishing  
14 positions of 1 or more horses in more than 1 specified race.

15 (4) All breaks ~~shall~~**must** be retained by the race meeting  
16 licensee and paid directly to the city or township in which the  
17 racetrack is located as a fee for services provided under section  
18 21.

19 (5) Payoff prices of tickets of a higher denomination must be  
20 calculated as even multiples of the payoff price for a \$1.00 wager.  
21 Each holder of a race meeting license shall distribute to the  
22 persons holding winning tickets, as a minimum, a sum not less than  
23 \$1.10 calculated on the basis of each \$1.00 deposited in a pool,  
24 except that each race meeting licensee may distribute a sum of not  
25 less than \$1.05 to persons holding winning tickets for each \$1.00  
26 deposited in a minus pool. As used in this subsection, "minus pool"  
27 means any win, place, or show pool in which the payout would exceed  
28 the total value of the pool.

29 (6) A holder of a race meeting license shall not knowingly



1 permit a person less than 18 years of age to be a patron of the  
2 pari-mutuel wagering conducted or supervised by the holder.

3 (7) Any act or transaction relative to pari-mutuel wagering on  
4 the results of live or simulcast horse races may be conducted by a  
5 race meeting licensee under this act for the race meeting licensee  
6 to comply with the auditing requirements of section 23. A person  
7 shall not provide messenger service for the placing of a bet for  
8 another person who is not a patron. However, this subsection does  
9 not prevent simulcasting or intertrack or interstate common pool  
10 wagering inside or outside this state as permitted by this act or  
11 the rules promulgated under this act.

12 (8) Any form of pari-mutuel wagering on the results of live or  
13 simulcast horse races must only ~~occur or be permitted to occur at a~~  
14 ~~licensed race meeting. A person shall not participate or be a party~~  
15 ~~to any act or transaction relative to placing a wager or carrying a~~  
16 ~~wager for placement outside of a race meeting ground. A person~~  
17 ~~shall not provide messenger service for the placing of a bet for~~  
18 ~~another person who is not a patron. However, this subsection does~~  
19 ~~not prevent simulcasting or intrastate or interstate common pool~~  
20 ~~wagering inside or outside this state as permitted by this act or~~  
21 ~~the rules promulgated under this act.~~**be conducted or operated by a**  
22 **race meeting licensee, which may use its contracted licensed third-**  
23 **party facilitators, as determined and approved by the racing**  
24 **commissioner. The race meeting licensee is responsible for all**  
25 **conduct of its third-party facilitators. All wagers must be placed**  
26 **by persons within this state and may be placed only in person at a**  
27 **licensed race meeting or electronically through a licensed third-**  
28 **party facilitator. Wagers must be placed only on live races offered**  
29 **at or live races simulcast to licensed race meetings at racetracks**



1 operated by persons that hold track licenses issued under this act.  
2 Each race meeting licensee and licensed third-party facilitator  
3 shall not solicit, offer, accept, or process wagers on or in  
4 connection with any other horse races, form of horse racing, or  
5 other form of gaming or gambling product, including, but not  
6 limited to, historical horse races, slot machines, or any  
7 electronic game of chance that simulates, imitates, or emulates an  
8 electronic gaming device such as a video lottery terminal, pulltab  
9 dispenser, or any other electronic or mechanical device.

10 (9) A person that does not hold a race meeting license **or a**  
11 **third-party facilitator license** that solicits or accepts wagers on  
12 the results of live or simulcast horse races from individuals in  
13 this state is guilty of a felony punishable by imprisonment for not  
14 more than 5 years or a fine of not more than \$10,000.00, or both.  
15 Each act of solicitation or wager that is accepted in violation of  
16 this section is a separate offense.

17 (10) **Only a race meeting licensee or its contracted licensed**  
18 **third-party facilitator may process, accept, offer, or solicit**  
19 **wagers on the results of live or simulcast horse races as**  
20 **determined and approved by the racing commissioner.**

21 (11) ~~(10)~~ As used in this section, "act or transaction  
22 relative to pari-mutuel wagering on the results of live or  
23 simulcast horse races" means those steps taken by a race meeting  
24 licensee to accept a wager and process it within the ordinary  
25 course of its business and in accordance with this act.

26 Sec. 20. (1) It is the policy of this state to encourage the  
27 breeding of horses of all breeds in this state and the ownership of  
28 such horses by residents of this state to provide for sufficient  
29 numbers of high quality race horses of all breeds to participate in



1 licensed race meetings in this state; to promote the positive  
2 growth and development of high quality horse racing and other  
3 equine competitions in this state as a business and entertainment  
4 activity for residents of this state; and to establish and preserve  
5 the substantial agricultural and commercial benefits of the horse  
6 racing and breeding industry to this state. It is the intent of the  
7 legislature to further this policy by the provisions of this act  
8 and annual appropriations to administer this act and adequately  
9 fund the agriculture and equine industry programs established by  
10 this section.

11 (2) Money received by the racing commissioner and the state  
12 treasurer under this act ~~shall~~**must** be paid promptly into the state  
13 treasury and placed in the Michigan agriculture equine industry  
14 development fund created in subsection (3).

15 (3) The Michigan agriculture equine industry development fund  
16 is created in the department of treasury. The Michigan agriculture  
17 equine industry development fund ~~shall~~**must** be administered by the  
18 director of the department of agriculture and rural development  
19 with the assistance and advice of the racing commissioner.

20 (4) Money ~~shall~~**must** not be expended from the Michigan  
21 agriculture equine industry development fund except as appropriated  
22 by the legislature. Money appropriated by the legislature ~~for~~**from**  
23 the Michigan agriculture equine industry development fund ~~shall~~  
24 **must** be expended by the director of the department of agriculture  
25 and rural development with the advice and assistance of the racing  
26 commissioner to provide funding for agriculture and equine industry  
27 development programs as provided in subsections (5) to (11).

28 (5) The following amounts ~~shall~~**must** be paid to standardbred  
29 and fair programs:



1 (a) A sum not to exceed 75% of the purses for standardbred  
2 harness horse races offered by fairs and races at licensed pari-  
3 mutuel racetracks. Purse supplements paid under this subdivision  
4 for overnight races at fairs for which Michigan sired, Michigan  
5 bred, or Michigan owned harness horses are eligible must be  
6 \$1,000.00. However, if the average purse offered for maiden  
7 overnight races of the same breed at any licensed race meeting in  
8 this state during the previous year as calculated by the department  
9 of agriculture and rural development was less than \$1,000.00, purse  
10 supplements for overnight races at fairs paid under this  
11 subdivision ~~shall~~**must** not exceed that average purse.

12 (b) A sum to be allotted on a matching basis, but not to  
13 exceed \$15,000.00 each year to a single fair, for the purpose of  
14 equipment rental during fairs; ground improvement; constructing,  
15 maintaining, and repairing buildings; and making the racetrack more  
16 suitable and safe for racing at fairs.

17 (c) A sum to be allotted for paying special purses at fairs on  
18 2-year-old and 3-year-old standardbred harness horses conceived  
19 after January 1, 1992, that is Michigan bred, or that is sired by a  
20 standardbred stallion registered with the department of agriculture  
21 and rural development, that was leased or owned by a resident or  
22 residents of this state, and that did not serve a mare at a  
23 location outside of this state from February 1 through July 31 of  
24 the calendar year in which the conception occurred. A foal that is  
25 born on or after January 1, 2002 of a mare owned by a nonresident  
26 of this state and that is conceived outside of this state from  
27 transported semen of a stallion registered with the department of  
28 agriculture and rural development is eligible for Michigan tax-  
29 supported races only if, in the year that the foal is conceived,





1 the department of agriculture and rural development's agent for  
2 receiving funds as the holding agent for stakes and futurities is  
3 paid a transport fee as determined by the department of agriculture  
4 and rural development and administered by the Michigan ~~harness~~  
5 ~~horsemen's association.~~ **Harness Horsemen's Association.**

6 (d) A sum to pay not more than 75% of an eligible cash premium  
7 paid by a fair or exposition. The commission of agriculture and  
8 rural development shall promulgate rules establishing which  
9 premiums are eligible for payment and a dollar limit for all  
10 eligible payments.

11 (e) A sum to pay breeders' awards in an amount not to exceed  
12 10% of the gross purse to breeders of Michigan bred standardbred  
13 harness horses for each time the horse wins a race at a licensed  
14 race meeting or fair in this state. As used in this subdivision,  
15 "Michigan bred standardbred harness horse" means a horse from a  
16 mare owned by a resident or residents of this state at the time of  
17 conception, that was conceived after January 1, 1992, and sired by  
18 a standardbred stallion registered with the department of  
19 agriculture and rural development that was leased or owned by a  
20 resident or residents of this state and that did not serve a mare  
21 at a location outside of this state from February 1 through July 31  
22 of the calendar year in which the conception occurred. To be  
23 eligible, each mare must be registered with the department of  
24 agriculture and rural development. A foal that is born on or after  
25 January 1, 2002 of a mare owned by a nonresident of this state and  
26 that is conceived outside of this state from transported semen of a  
27 stallion registered with the department of agriculture and rural  
28 development is eligible for Michigan tax-supported races only if,  
29 in the year that the foal is conceived, the department of



1 agriculture and rural development's agent for receiving funds as  
 2 the holding agent for stakes and futurities is paid a transport fee  
 3 as determined by the department of agriculture and rural  
 4 development and administered by the Michigan ~~harness-horsemen's~~  
 5 ~~association.~~ **Harness Horsemen's Association.**

6 (f) A sum not to exceed \$4,000.00 each year to be allotted to  
 7 fairs to provide training and stabling facilities for standardbred  
 8 harness horses.

9 (g) A sum to be allotted to pay the presiding judges and  
 10 clerks of the course at fairs. Presiding judges and clerks of the  
 11 course ~~shall~~ **must** be hired by the fair's administrative body with  
 12 the advice and approval of the racing commissioner. The director of  
 13 the department of agriculture and rural development may allot funds  
 14 for a photo finish system and a mobile starting gate. The director  
 15 of the department of agriculture and rural development shall allot  
 16 funds for the conducting of tests, the collection and laboratory  
 17 analysis of urine, saliva, blood, and other samples from horses,  
 18 and the taking of blood alcohol tests on drivers, jockeys, and  
 19 starting gate employees, for those races described in this  
 20 subdivision. The department may require a driver, jockey, or  
 21 starting gate employee to submit to a breathalyzer test, urine  
 22 test, or other noninvasive fluid test to detect the presence of  
 23 alcohol or a controlled substance. If the results of a test show  
 24 that a person has more than .05% of alcohol in his or her blood, or  
 25 has present in his or her body a controlled substance, the person  
 26 ~~shall~~ **is** not ~~be~~ permitted to continue in his or her duties on that  
 27 race day and until he or she can produce, at his or her own  
 28 expense, a negative test result.

29 (h) A sum to pay purse supplements to licensed pari-mutuel



1 harness race meetings for special 4-year-old filly and colt horse  
2 races.

3 (i) A sum not to exceed 0.25% of all money wagered on live and  
4 simulcast horse races in this state ~~shall~~**must** be placed in a  
5 special standardbred sire stakes fund each year, 100% of which  
6 ~~shall~~**must** be used to provide purses for races run exclusively for  
7 2-year-old and 3-year-old Michigan sired standardbred horses at  
8 licensed harness race meetings in this state. As used in this  
9 subdivision, "Michigan sired standardbred horses" means  
10 standardbred horses conceived after January 1, 1992 and sired by a  
11 standardbred stallion registered with the department of agriculture  
12 and rural development that was leased or owned by a resident or  
13 residents of this state and that did not serve a mare at a location  
14 outside of this state from February 1 through July 31 of the  
15 calendar year in which the conception occurred. A foal that is born  
16 on or after January 1, 2002 of a mare owned by a nonresident of  
17 this state and that is conceived outside of this state from  
18 transported semen of a stallion registered with the department of  
19 agriculture and rural development is eligible for Michigan tax-  
20 supported races only if, in the year that the foal is conceived,  
21 the department of agriculture and rural development's agent for  
22 receiving funds as the holding agent for stakes and futurities is  
23 paid a transport fee as determined by the department of agriculture  
24 and rural development and administered by the Michigan ~~harness~~  
25 ~~horsemen's association.~~**Harness Horsemen's Association.**

26 (6) The following amounts ~~shall~~**must** be paid to thoroughbred  
27 programs:

28 (a) A sum to be allotted thoroughbred race meeting licensees  
29 to supplement the purses for races to be conducted exclusively for



1 Michigan bred horses.

2 (b) A sum to pay awards to owners of Michigan bred horses that  
3 finish first, second, or third in races open to non-Michigan bred  
4 horses.

5 (c) A sum to pay breeders' awards in an amount not to exceed  
6 10% of the gross purse to the breeders of Michigan bred  
7 thoroughbred horses for each time Michigan bred thoroughbred horses  
8 win at a licensed race meeting in this state.

9 (d) A sum to pay purse supplements to licensed thoroughbred  
10 race meetings for special 4-year-old and older filly and colt horse  
11 races.

12 (e) A sum not to exceed 0.25% of all money wagered on live and  
13 simulcast horse races in ~~Michigan shall~~ **this state must** be placed  
14 in a special thoroughbred sire stakes fund each year, 100% of which  
15 ~~shall must~~ be used to provide purses for races run exclusively for  
16 2-year-old and 3-year-old and older Michigan sired thoroughbred  
17 horses at licensed thoroughbred race meetings in this state and  
18 awards for owners of Michigan sired horses or stallions. As used in  
19 this subdivision, "Michigan sired thoroughbred horses" means  
20 thoroughbred horses sired by a stallion registered with the  
21 department of agriculture and rural development that was leased or  
22 owned exclusively by a resident or residents of this state and that  
23 did not serve a mare at a location outside of this state during the  
24 calendar year in which the service occurred.

25 (7) The following amounts ~~shall must~~ be paid for quarter horse  
26 programs:

27 (a) A sum to supplement the purses for races to be conducted  
28 exclusively for Michigan bred quarter horses.

29 (b) A sum to pay not more than 75% of the purses for



1 registered quarter horse races offered by fairs.

2 (c) A sum to pay breeders' awards in an amount not to exceed  
3 10% of a gross purse to breeders of Michigan bred quarter horses  
4 for each time a Michigan bred quarter horse wins at a county fair  
5 or licensed race meeting in this state.

6 (d) As used in this subsection, "Michigan bred quarter horse"  
7 means that term as defined in R 285.817.1 of the Michigan  
8 Administrative Code. Each mare and stallion ~~shall~~**must** be  
9 registered with the director of the department of agriculture and  
10 rural development.

11 (8) The following amounts ~~shall~~**must** be paid for Appaloosa  
12 programs:

13 (a) A sum to supplement the purses for races to be conducted  
14 exclusively for Michigan bred Appaloosa horses.

15 (b) A sum to pay not more than 75% of the purses for  
16 registered Appaloosa horse races offered by fairs.

17 (c) A sum to pay breeders' awards in an amount not to exceed  
18 10% of the gross purse to the breeders of Michigan bred Appaloosa  
19 horses for each time Michigan bred horses win at a fair or licensed  
20 race meeting in this state.

21 (d) As used in this subsection, "Michigan bred Appaloosa  
22 horse" means **a Michigan bred appaloosa horse as** that term ~~as~~**is**  
23 defined in R 285.819.1 of the Michigan Administrative Code. Each  
24 mare and stallion ~~shall~~**must** be registered with the director of the  
25 department of agriculture and rural development.

26 (9) The following amounts ~~shall~~**must** be paid for Arabian  
27 programs:

28 (a) A sum to supplement the purses for races to be conducted  
29 exclusively for Michigan bred Arabian horses.



1 (b) A sum to pay not more than 75% of the purses for  
2 registered Arabian horse races offered by fairs.

3 (c) A sum to pay breeders' awards in an amount not to exceed  
4 10% of the gross purse to the breeders of Michigan bred Arabian  
5 horses for each time Michigan bred horses win at a fair or licensed  
6 racetrack in this state.

7 (d) As used in this subsection, "Michigan bred Arabian horse"  
8 means a Michigan-bred horse as that term is defined in R  
9 285.822.1(i) of the Michigan Administrative Code. Each mare and  
10 stallion shall be registered with the director of the department of  
11 agriculture and rural development.

12 (10) The following sums ~~shall~~**must** be paid for American paint  
13 horse programs:

14 (a) A sum to supplement the purses for races to be conducted  
15 exclusively for Michigan bred American paint horses.

16 (b) A sum to pay not more than 75% of the purses for  
17 registered American paint horse races offered by fairs.

18 (c) A sum to pay breeders' awards in an amount not to exceed  
19 10% of the gross purse to the breeders of Michigan bred American  
20 paint horses for each time a Michigan bred American paint horse  
21 wins at a county fair or licensed race meeting in this state.

22 (d) As used in this subsection, "Michigan bred American paint  
23 horse" means a Michigan-bred paint horse as that term is defined in  
24 R 285.823.1 of the Michigan Administrative Code.

25 (11) The following amounts ~~shall~~**must** be paid for the equine  
26 industry research, planning, and development grant fund program:

27 (a) A sum to fund grants for research projects conducted by  
28 persons affiliated with a university or governmental research  
29 agency or institution or other private research entity approved by



1 the racing commissioner, which are beneficial to the horse racing  
2 and breeding industry in this state.

3 (b) A sum to fund the development, implementation, and  
4 administration of new programs that promote the proper growth and  
5 development of the horse racing and breeding industry in this state  
6 and other valuable equine-related commercial and recreational  
7 activities in this state.

8 (12) As used in subsection (11), "equine industry research"  
9 means the study, discovery and generation of accurate and reliable  
10 information, findings, conclusions, and recommendations that are  
11 useful or beneficial to the horse racing and breeding industry in  
12 this state through improvement of the health of horses; prevention  
13 of equine illness and disease, and performance-related accidents  
14 and injuries; improvement of breeding technique and racing  
15 performance; and compilation and study of valuable and reliable  
16 statistical data regarding the size, organization, and economics of  
17 the industry in this state; and strategic planning for the  
18 effective promotion, growth, and development of the industry in  
19 this state.

20 (13) An amount ~~shall~~**must** be allotted annually to the racing  
21 commissioner that is sufficient to pay for the collection and  
22 laboratory analysis of urine, saliva, blood, and other samples from  
23 horses and licensed individuals involved in horse racing on which  
24 pari-mutuel wagers are made and for the conducting of tests  
25 described in section 16(4).

26 (14) Money appropriated and allotted to the Michigan  
27 agriculture equine industry development fund ~~shall~~**must** not revert  
28 to the general fund and ~~shall~~**must** be carried forward from year to  
29 year until disbursed to fund grants for research projects



1 beneficial to the industry.

2 (15) A percentage of the Michigan agriculture equine industry  
3 development fund that is equal to ~~1/100~~**1/15** of 1% of the gross  
4 wagers made each year in each of the racetracks licensed under this  
5 act ~~shall~~**must** be deposited in the compulsive gaming prevention  
6 fund created in section 3 of the compulsive gaming prevention act,  
7 1997 PA 70, MCL 432.253.

8 (16) The director of the department of agriculture and rural  
9 development shall promulgate rules pursuant to the administrative  
10 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to  
11 implement this section. The rules promulgated under this subsection  
12 ~~shall~~**must** do all of the following:

13 (a) Prescribe the conditions under which the Michigan  
14 agriculture equine industry development fund and related programs  
15 described in subsections (1) to (14) ~~shall~~**must** be funded.

16 (b) Establish conditions and penalties regarding the programs  
17 described in subsections (5) to (12).

18 (c) Develop and maintain informational programs related to  
19 this section.

20 (17) Funds under the control of the department of agriculture  
21 and rural development in this section ~~shall~~**must** be disbursed under  
22 the rules promulgated ~~pursuant to~~**under** subsection (16). All funds  
23 under the control of the department of agriculture and rural  
24 development approved for purse supplements and breeders' awards  
25 ~~shall~~**must** be paid by the state treasurer not later than 45 days  
26 from the date of the race.

27 **(18) Purses paid under this section must be based on actual**  
28 **purses awarded in a race. If the actual purses awarded are less**  
29 **than the purse supplement amount requested by a fair or licensed**





1 pari-mutuel racetrack at the time they applied to the department of  
2 agriculture and rural development for the purse supplement, the  
3 purse supplement paid must be the lesser amount.

4 Sec. 22. (1) A licensed racetrack shall pay a license fee to  
5 the racing commissioner of \$1,000.00 annually.

6 (2) Each holder of a race meeting license shall pay to the  
7 state treasurer, from the holder's commission, **including any wagers**  
8 **processed through licensed third-party facilitators operating under**  
9 **this act**, a tax in the amount of 3.5% of money wagered on  
10 interstate and intertrack simulcast races conducted at the holder's  
11 licensed race meetings.

12 (3) By eliminating the pari-mutuel wagering tax on live racing  
13 programs and altering the calculation of the tax on simulcast horse  
14 racing, it is not the intent of the legislature to diminish the  
15 funding and appropriations for the Michigan agriculture equine  
16 industry **development** fund and related programs described in section  
17 20. The pari-mutuel tax alteration effected by this section is  
18 intended to generally allow for the improvement of the pari-mutuel  
19 horse racing and breeding industry in this state by increasing  
20 purses at licensed race meetings and making additional pari-mutuel  
21 revenues available for capital improvements at licensed racetracks  
22 in this state.

