

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 405 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-31-5-11 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. The
- 5 commission ~~may~~ **shall** require each permit holder to schedule ~~one~~ **(1)**
- 6 **two (2)** or more races on each racing day:
- 7 (1) solely for Indiana owned horses;
- 8 (2) solely for Indiana sired horses;
- 9 (3) solely for Indiana bred horses; or
- 10 (4) for a combination of Indiana owned horses, Indiana sired
- 11 horses, and Indiana bred horses."
- 12 Page 6, between lines 15 and 16, begin a new paragraph and insert:
- 13 "SECTION 7. IC 4-31-11-0.3 IS ADDED TO THE INDIANA
- 14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 15 [EFFECTIVE UPON PASSAGE]: **Sec. 0.3. As used in this chapter,**
- 16 **"base purse" means an amount equal to seventy percent (70%) of**
- 17 **the equivalent open race purse of the same class and condition.**
- 18 SECTION 8. IC 4-31-11-0.7 IS ADDED TO THE INDIANA CODE
- 19 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 20 UPON PASSAGE]: **Sec. 0.7. As used in this chapter, "breeder**
- 21 **award" refers to a monetary award paid to the breeder of any**
- 22 **registered Indiana bred or sired horse that wins a race at an**
- 23 **Indiana racetrack for a claiming price of at least ten thousand**
- 24 **dollars (\$10,000).**

1 SECTION 9. IC 4-31-11-2.3 IS ADDED TO THE INDIANA CODE
 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: **Sec. 2.3. As used in this chapter, "owner**
 4 **award" refers to a monetary award paid to the owner of any**
 5 **registered Indiana bred or sired horse that wins a race at an**
 6 **Indiana racetrack for a claiming price of at least ten thousand**
 7 **dollars (\$10,000).**

8 SECTION 10. IC 4-31-11-2.7 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE UPON PASSAGE]: **Sec. 2.7. As used in this chapter,**
 11 **"stallion owner award" refers to a monetary award paid to the**
 12 **owner of a registered stallion whose progeny wins a race at an**
 13 **Indiana racetrack for a claiming price of at least ten thousand**
 14 **dollars (\$10,000).**

15 SECTION 11. IC 4-31-11-3 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The commission
 17 **may shall** establish a separate breed development advisory committee
 18 for each breed of horse that participates in racing meetings under this
 19 article.

20 SECTION 12. IC 4-31-11-9 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Each
 22 development committee **may shall** make recommendations to the
 23 commission concerning:

- 24 (1) stakes races;
- 25 (2) futurity races;
- 26 (3) races only for horses owned by Indiana residents;
- 27 (4) races only for horses sired by stallions standing in Indiana;
- 28 (5) races only for horses foaled in Indiana; or
- 29 (6) races for any combination of horses described in subdivision
- 30 (3), (4), or (5).

31 Races described in subdivisions (3) through (6) may be for different
 32 distances and may be limited by the age, sex, or gait of the horse.

33 (b) Each development committee **may shall** make recommendations
 34 to the commission concerning:

- 35 (1) cooperative arrangements with statewide breed associations;
- 36 and
- 37 (2) distribution of money available in a development fund in order
- 38 to supplement a purse for a race at a county fair or agricultural
- 39 exposition in Indiana.

40 SECTION 13. IC 4-31-11-10 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The
 42 commission **may shall** establish a separate breed development fund for
 43 each breed of horse that participates in racing meetings under this
 44 article. The development funds shall be administered by the
 45 commission."

46 Page 6, between lines 24 and 25, begin a new paragraph and insert:

1 "SECTION 15. IC 4-31-11-15 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) The
3 commission shall use the development funds to provide:

4 (1) purses and other funding for the activities for races described
5 in section ~~9~~ **9(a)(3) through 9(a)(6)** of this chapter; and

6 (2) the purses and awards for thoroughbred racing required
7 by subsection (b).

8 **(b) This subsection applies only to the money distributed to the
9 breed development fund for thoroughbreds under
10 IC 4-35-7-12(d)(1)(B). The money must be used as follows:**

11 (1) To provide purses and supplements for races restricted to
12 Indiana bred or sired horses, or a combination of Indiana
13 bred or sired horses.

14 (2) To pay the following awards:

15 (A) Owner awards.

16 (B) Breeder awards.

17 (C) Stallion owner awards.

18 **(c) Money used to provide purses under subsection (b) must
19 supplement the base purse provided by a permit holder from the
20 permit holder's purse account.**

21 **(d) An award paid under subsection (b) is equal to the following
22 amounts:**

23 (1) Twenty percent (20%) of the total purse of the race for
24 which the award is made, including any purse supplements, in
25 the case of an owner award or a breeder award.

26 (2) Ten percent (10%) of the total purse of the race for which
27 the award is made, including any purse supplements, in the
28 case of a stallion owner award."

29 Page 34, line 18, delete "." and insert "**to be used as required by
30 IC 4-31-11-15.**"

31 Page 35, line 36, strike "2008, and ending".

32 Page 35, line 37, strike "before July 1,".

33 Page 36, delete lines 7 through 25, begin a new paragraph and
34 insert:

35 "(k) For a state fiscal year beginning after June 30, 2009, the amount
36 of money dedicated to the purposes described in subsection (b) for a
37 particular state fiscal year is equal to the lesser of:

38 (1) fifteen percent (15%) of the licensee's adjusted gross receipts
39 for the state fiscal year; or

40 (2) the amount dedicated to the purposes described in subsection
41 (b) in the previous state fiscal year increased by a percentage that
42 does not exceed the percent of increase in the United States
43 Department of Labor Consumer Price Index during the year
44 preceding the year in which an increase is established:

45 If fifteen percent (15%) of a licensee's adjusted gross receipts for the
46 state fiscal year exceeds the amount specified in subdivision (2), the

1 licensee shall transfer the amount of the excess to the commission for
2 deposit in the state general fund. The licensee shall adjust the transfers
3 required under this section in the final month of the state fiscal year to
4 comply with the requirements of this subsection."

5 Renumber all SECTIONS consecutively.
(Reference is to ESB 405 as printed February 19, 2010.)

Representative Goodin