

ASSEMBLY, No. 5078

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 7, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

SYNOPSIS

Extends time outstanding parimutuel ticket may be claimed from six months to 12 months.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning outstanding parimutuel tickets and amending
2 various sections of the statutory law.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. Section 44 of P.L.1940, c.17 (C.5:5-64) is amended to read
8 as follows:

9 44. Each holder of a permit shall distribute all sums deposited in
10 any pool where the patron is required to select one horse to the
11 winners thereof, less an amount which in harness races shall not
12 exceed 17% of the total deposits plus the breaks and which in other
13 races shall not exceed 17% of the total deposits plus the breaks. In
14 every pool where the patron is required to select two horses, the
15 holder of each permit for either harness or running track shall
16 distribute all sums deposited in each pool to the winners thereof,
17 less an amount which shall not exceed 19% of the total deposits
18 plus the breaks. In every pool where the patron is required to select
19 three or more horses, every holder of a permit shall distribute all
20 sums deposited in each pool to the winners thereof, less an amount
21 which shall not exceed 25% of the total deposits plus the breaks.
22 Every permitholder shall distribute to the persons holding winning
23 tickets in any of the aforementioned pools, as a minimum, a sum not
24 exceeding \$0.10, calculated on the basis of each dollar deposited in
25 any pool after the deduction of the said 17%, 19% or 25%, as the
26 case may be. Should the amount remaining in the pool be
27 insufficient to pay the winners the minimum, the breakage accruing
28 in that race, or any necessary portion thereof, shall be applied
29 toward making up any such deficiency. The breaks are hereby
30 defined as the odd cents over any multiple of \$0.10, calculated on
31 the basis of \$1.00 otherwise payable to a patron. Every
32 permitholder engaged in the business of conducting running race
33 meetings under this act, except the New Jersey Sports and
34 Exposition Authority established pursuant to P.L.1971, c.137
35 (C.5:10-1 et seq.) or a lessee of the authority, shall distribute as
36 purse money the breaks as herein defined, except as the same shall
37 have been applied toward making up a deficiency in a pool as
38 herein provided. Every permitholder engaged in the business of
39 conducting harness race meetings under this act, except the New
40 Jersey Sports and Exposition Authority or a lessee of the authority,
41 shall retain for his own uses and purposes 50% of the breaks as
42 herein defined, except as the same shall have been applied toward
43 making up a deficiency in the pool as herein provided, and shall
44 distribute as purse money the remaining 50%. The New Jersey
45 Sports and Exposition Authority or a lessee of the authority shall

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 retain all breaks as revenue, except as the same shall have been
2 applied toward making up a deficiency in a pool as herein provided.

3 Every permitholder shall submit to the commission every
4 seventh day of any and every race meeting a report under oath
5 showing the daily and total amount of such breaks, together with
6 such other information as the commission may require. All sums
7 held by any permitholder for payment of outstanding parimutuel
8 tickets not claimed by the person or persons entitled thereto within
9 **【six months】** 12 months from the time such tickets are issued shall
10 be paid upon the expiration of such **【six-month】** 12 months holding
11 period as follows:

12 a. In the case of running and harness races, beginning July 1,
13 1997 50% of those sums shall be paid to the racing commission for
14 deposit in the general fund of the State and disposition in
15 accordance with section 4 of P.L.1997, c.29 (C.5:5-68.1);

16 b. In the case of running races, 50% of those sums shall be paid
17 to the commission and set aside in the special trust account
18 established pursuant to section 46 b.(1)(e) and section 46 b.(2)(e) of
19 P.L.1940, c.17 (C.5:5-66); and

20 c. In the case of harness races, 25% of those sums shall be
21 retained by the permitholder to supplement purses for sire stakes
22 races on which there is parimutuel wagering, and 25% shall be
23 retained by the permitholder to supplement overnight purses unless
24 otherwise provided by a contractual agreement authorized under
25 section 11 of P.L.2013, c.266 (C.5:5-188).

26 Where it is shown to the satisfaction of the commission that the
27 reason for the parimutuel tickets being outstanding and unclaimed is
28 the loss, misplacement or theft of said tickets within the confines
29 and control of the parimutuel department of any permitholder, and it
30 is further shown to the satisfaction of the commission that said
31 parimutuel tickets have been cashed by such parimutuel department,
32 the commission may adjust and credit the permitholder's account
33 accordingly and the permitholder shall reimburse any employee
34 who has been held personally accountable and paid for such lost,
35 stolen or misplaced tickets. All outstanding parimutuel ticket
36 money shall be deposited in an account separate and apart from the
37 track's mutuel or general treasury account. The outstanding
38 parimutuel ticket account shall be subject to the rules and
39 regulations prescribed by the Division of New Jersey Racing
40 Commission.

41 (cf: P.L.2013, c.266, s.1)

42

43 2. Section 4 of P.L.1997, c.29 (C.5:5-68.1) is amended to read
44 as follows:

45 4. Beginning July 1, 1997, amounts resulting from parimutuel
46 tickets remaining unclaimed after **【six months】** 12 months which
47 are paid to the Racing Commission for deposit in the general fund
48 pursuant to subsection a. of section 44 of P.L.1940, c.17 (C.5:5-

64)【, subsection a. of section 1 of P.L.1984, c.236 (C.5:5-64.1)】
and paragraph (1) of subsection g. of section 7 of P.L.1971, c.137
(C.5:10-7) shall be appropriated each fiscal year to the Racing
Commission to be used for the expenses of the commission.
(cf: P.L.1997, c.29, s.4)

3. Section 3 of P.L.2001, c.199 (C.5:5-129) is amended to read
as follows:

3. As used in this act:

"Account holder" means a resident of this State over age 18 who
establishes an account pursuant to this act through which account
wagers are placed.

"Account wagering" means a form of parimutuel wagering in
which an account holder may deposit money in an account with the
account wagering licensee and then use the account balance to pay
for parimutuel wagers by the account holder.

"Account wagering licensee" means the New Jersey Sports and
Exposition Authority or its assignee, provided that the commission
has granted its approval for the authority to establish an account
wagering system as provided for in this act.

"Account wagering system" means the system through which
account wagers are processed by the account wagering licensee
pursuant to this act.

"Applicant" means the New Jersey Sports and Exposition
Authority or another entity that submits an application to the
commission for a license to establish and conduct an off-track
wagering facility pursuant to this act.

"Authority" means the New Jersey Sports and Exposition
Authority created by section 4 of P.L.1971, c.137 (C.5:10-4).

"Backstretch Benevolency" means the Backstretch Benevolency
Programs Fund established pursuant to section 1 of P.L.1993, c.15
(C.5:5-44.8).

"Breeders and Stallions" means the distribution from the special
trust account created pursuant to section 46 a. (2) of P.L.1940, c.17
(C.5:5-66) for the purposes of subparagraph (c) of that citation.

"Breeding and Development" means the New Jersey Horse
Breeding and Development Account established pursuant to section
5 of P.L.1967, c.40 (C.5:5-88).

"Commission" means the New Jersey Racing Commission
created by section 1 of P.L.1940, c.17 (C.5:5-22).

"Executive Director" means the Executive Director of the
commission.

"Health and Welfare" means moneys distributed to the
Standardbred Breeders' and Owners' Association for the
administration of a health benefits program pursuant to section 46 a.
(5) of P.L.1940, c.17 (C.5:5-66).

1 "In-State host track" means a racetrack within this State which is
2 operated by a permit holder which conducts a horse race upon
3 which account wagers are placed pursuant to this act.

4 "In-State sending track" means a racetrack within this State
5 which is operated by a permit holder and is equipped to conduct
6 off-track simulcasting.

7 "In-State track" means an in-State host track or an in-State
8 sending track.

9 "Interstate common pool" means the parimutuel pool established
10 within this State or in another state or foreign nation within which
11 is combined parimutuel pools of one or more receiving tracks
12 located in one or more states or foreign nations upon a race at an
13 out-of-State sending track or out-of-State host track for the purpose
14 of establishing payoff prices in the various jurisdictions.

15 "Jockey's Health and Welfare" means a health and welfare trust
16 established by the organization certified by the New Jersey Racing
17 Commission as representing a majority of the active licensed
18 thoroughbred jockeys in New Jersey for the purpose of providing
19 health and welfare benefits to active, disabled and retired New
20 Jersey jockeys and their dependents based upon reasonable criteria
21 by that organization.

22 "New Jersey Racing Industry Special Fund" means the fund
23 established pursuant to section 27 of this act.

24 "New Jersey Thoroughbred Horsemen's Association" means the
25 association representing the majority of New Jersey thoroughbred
26 owners and trainers responsible for receiving and distributing funds
27 for programs designed to aid thoroughbred horsemen.

28 "Off-track simulcasting" means the simultaneous audio or visual
29 transmission of horse races conducted at in-State and out-of-State
30 racetracks to off-track wagering facilities and parimutuel wagering
31 at those off-track wagering facilities on the results of those races.

32 "Off-track wagering" means parimutuel wagering at an off-track
33 wagering facility as authorized under this act.

34 "Off-track wagering facility" means a licensed facility, other
35 than a racetrack, at which parimutuel wagering is conducted
36 pursuant to this act.

37 "Off-track wagering licensee" means the New Jersey Sports and
38 Exposition Authority or its assignee, or another entity to which the
39 commission has granted its approval to conduct an off-track
40 wagering facility as provided for in this act.

41 "Out-of-State host track" means a racetrack in a jurisdiction
42 other than the State of New Jersey, the operator of which is lawfully
43 permitted to conduct a horse race meeting and which conducts horse
44 races upon which account wagers may be placed pursuant to this
45 act.

46 "Out-of-State sending track" means a racetrack in a jurisdiction
47 other than the State of New Jersey which is equipped to conduct
48 off-track simulcasting and the operator of which is lawfully

1 permitted to conduct a horse race meeting and to provide simulcast
2 horse races to off-track wagering facilities in this State.

3 "Out-of-State track" means an out-of-State host track or an out-
4 of-State sending track.

5 "Outstanding parimutuel ticket" means a winning parimutuel
6 ticket which is not claimed within ~~【six months】~~ 12 months of sale.

7 "Parimutuel" means any system whereby wagers with respect to
8 the outcome of a horse race are placed with, or in, a wagering pool
9 conducted by an authorized person, and in which the participants
10 are wagering with each other and not against the person conducting
11 the wagering pool.

12 "Participation agreement" means the written contract entered into
13 prior to the effective date of P.L.2011, c.26, that provides for the
14 establishment or implementation of either (a) an off-track wagering
15 facility or facilities or (b) an account wagering system. Each such
16 contract shall set forth the manner in which the off-track wagering
17 facility or facilities or the account wagering system shall be
18 managed, operated and capitalized, as well as how expenses and
19 revenues shall be allocated and distributed by and among the
20 authority and the other eligible participants subject to the
21 agreement.

22 "Permit holder" means the holder of an annual permit to conduct
23 a horse race meeting issued by the commission.

24 "Racetrack" means the physical facility where a permit holder
25 conducts a horse race meeting with parimutuel wagering.

26 "Racing costs" means the prospective and actual costs for all
27 licensing, investigation, operation, regulation, supervision and
28 enforcement activities and functions performed by the commission.

29 "Simulcast horse races" means horse races conducted at an in-
30 State sending track or an out-of-State sending track, as the case may
31 be, and transmitted simultaneously by picture to a receiving track or
32 an off-track wagering facility.

33 "Sire Stakes" means the Sire Stakes Program established
34 pursuant to section 1 of P.L.1971, c.85 (C.5:5-91).

35 "Standardbred Drivers' Health and Welfare" means a health and
36 welfare trust established by the Standardbred Breeders' and Owners'
37 Association of New Jersey for the purpose of providing health and
38 welfare benefits to active, disabled and retired New Jersey
39 standardbred drivers and their dependents based upon reasonable
40 criteria by that organization.

41 "Takeout" means that portion of a wager which is deducted from
42 or not included in the parimutuel pool, and which is distributed
43 other than to persons placing wagers.

44 "Thoroughbred Breeders and Stallions" means the special trust
45 account created pursuant to section 46 b.(1)(e) of P.L.1940, c.17
46 (C.5:5-66).

47 (cf: P.L.2011, c.26, s.2)

