

CHAPTER 309. RACETRACK LICENSES AND OPERATIONS

SUBCHAPTER A. RACETRACK LICENSES

DIVISION 1. GENERAL PROVISIONS

1 **309.8. Racetrack License Fees**

2 (a) (No change.)

3 (b) Annual License Fee for State Fiscal Years Beginning
4 September 1, 2017, and thereafter. A licensed racing
5 association shall pay an annual license fee. The annual license
6 fee for each license type is as follows:

7 (1) for a Class 1 racetrack, \$700,000 [~~\$500,000~~];

8 (2) for a Class 2 racetrack, \$125,000 [~~\$230,000~~];

9 (3) for a Class 3 or 4 racetrack, \$35,000 [~~\$70,000~~]; and

10 (4) for a Greyhound racetrack, \$200,000 [~~\$360,000~~].

11 (c) Fee Payments for the State Fiscal Year Beginning September
12 1, 2017. Beginning on December 1, 2017, each association shall
13 pay its annual license fee by remitting to the Commission 1/9th
14 of the fee remaining due as of December 1, 2017, on the first
15 business day of each month of state fiscal year 2018.

16 (d) Fee Payments for State Fiscal Years Beginning September 1,
17 2018, and thereafter. [~~(2)~~] Each [~~An~~] association shall pay its
18 annual license fee by remitting to the Commission 1/12th of the
19 fee on the first business day of each month.

20 (e) [~~(e)~~] Adjustment of Fees.

21 (1) Annual fees are calculated using a projected base of 68
22 [~~143~~] days of live horse racing and 36 [~~270~~] performances of
23 live greyhound racing per calendar year. To cover the additional
24 regulatory cost in the event additional days or performances are
25 requested by the associations the executive secretary may:

26 (A) recalculate a horse racetrack's annual fee by
27 adding \$6,313 [~~\$3,750~~] for each live day added beyond the
28 base;

29 (B) recalculate a greyhound racetrack's annual fee by
30 adding \$750 for each live performance added beyond the
31 base; and

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1 (C) review the original or amended race date request
2 submitted by each association to establish race date
3 baselines for specific associations if needed.

4 ~~[(2) If at any point the executive secretary determines the~~
5 ~~total revenue from the annual fees is insufficient to pay the~~
6 ~~Commission's costs during a fiscal year, the executive secretary~~
7 ~~shall recommend to the Commission a supplemental fee, in~~
8 ~~addition to the license fee, that each association would be~~
9 ~~required to pay to generate the necessary revenue to pay the~~
10 ~~Commission's costs.]~~

11 (2) ~~[(3)]~~ If the executive secretary determines that the
12 total revenue from the annual fees exceeds the amount needed to
13 pay those costs, the executive secretary may order a moratorium
14 on all or part of the annual license fees remitted monthly by
15 any or all of the associations. Before entering a moratorium
16 order, the executive secretary shall develop a formula for
17 providing the moratorium in an equitable manner among the
18 associations. In developing the formula, the executive secretary
19 shall consider the amount of excess revenue received by the
20 Commission, the source of the revenue, the Commission's costs
21 associated with regulating each association, the Commission's
22 projected receipts for the next fiscal year, and the
23 Commission's projected expenses during the next fiscal year.