



502108

CHAMBER ACTION

Senate

House

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Floor: WD/2R
4/25/2008 11:37 AM

1 Senator Oelrich moved the following **amendment**:

2
3 **Senate Amendment (with title amendment)**

4 Between line(s) 49 and 50,
5 insert:

6
7 Section 2. Subsection (5) is added to section 550.26165,
8 Florida Statutes, to read:

9 550.26165 Breeders' awards.--

10 (5) The Legislature recognizes that this state competes
11 with other states to attract thoroughbred breeding and training
12 operations. The awards programs created in this chapter are
13 intended to encourage such operations to locate in this state and
14 must be responsive to rapidly changing programs in other states.
15 To this end and notwithstanding any other law to the contrary, it
16 is appropriate to provide greater flexibility to thoroughbred



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17 industry participants in this state so that they may design an
18 awards program that is competitive nationally.

19 (a) The Florida Thoroughbred Breeders' Association may
20 elect, as part of its annual plan, to pay breeders' awards on
21 horses finishing in first, second, or third place in thoroughbred
22 horse races; to pay breeders' awards in an amount greater than 20
23 percent and less than 15 percent of the announced gross purse;
24 and to vary the rates for breeders' awards based upon the place
25 of finish, class of race, the state or country in which the race
26 took place, and the state in which the stallion siring the horse
27 was standing when the horse was conceived.

28 (b) The Florida Thoroughbred Breeders' Association may
29 elect, as part of its annual plan, to pay stallion awards on
30 horses finishing in first, second, or third place in thoroughbred
31 horse races; to pay stallion awards in an amount greater than 20
32 percent and less than 15 percent of the announced gross purse; to
33 reduce or eliminate stallion awards in order to enhance breeders'
34 awards or awards under paragraph (c); and to vary the rates for
35 stallion awards based upon the place of finish, class of race,
36 and the state or country in which the race took place.

37 (c) From the funds dedicated in this chapter for use as
38 breeders' awards and stallion awards, the Florida Thoroughbred
39 Breeders' Association may elect, as part of its annual plan, to
40 pay awards to owners of registered Florida-bred horses finishing
41 in first, second, or third place in thoroughbred horse races in
42 this state, without regard to any awards that may be paid under
43 s. 550.2625(6).

44 (d) Breeders' awards or stallion awards under this chapter
45 may not be paid on thoroughbred horse races taking place in other
46 states or countries unless agreed to in writing by all



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47 thoroughbred permitholders in this state, the Florida
48 Thoroughbred Breeders' Association, and the Florida Horsemen's
49 Benevolent and Protective Association, Inc.

50 Section 3. Paragraph (e) is added to subsection (6) of
51 section 550.2625, Florida Statutes, to read:

52 550.2625 Horseracing; minimum purse requirement, Florida
53 breeders' and owners' awards.--

54 (6)

55 (e) This subsection shall govern Florida owners' awards
56 paid on thoroughbred horse races in this state in the absence of
57 a written agreement on file with the division establishing the
58 rate, procedure, and eligibility requirements for Florida owners'
59 awards, including place of finish, class of race, maximum purse,
60 and maximum award, entered into by the permitholder, the Florida
61 Thoroughbred Breeders' Association, and the association
62 representing a majority of the racehorse owners and trainers at
63 that permitholder's location.

64 Section 4. Paragraph (a) of subsection (5) of section
65 550.5251, Florida Statutes, is amended to read:

66 550.5251 Florida thoroughbred racing; certain permits;
67 operating days.--

68 (5) (a) Each licensed thoroughbred permitholder in this
69 state must run an average of one race per racing day in which
70 horses bred in this state and duly registered with the Florida
71 Thoroughbred Breeders' Association have preference as entries
72 over non-Florida-bred horses, unless otherwise agreed to in
73 writing by the permitholder, the Florida Thoroughbred Breeders'
74 Association, and the association representing a majority of the
75 thoroughbred racehorse owners and trainers at that location. All
76 licensed thoroughbred racetracks shall write the conditions for



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77 | such races in which Florida-bred horses are preferred so as to
78 | assure that all Florida-bred horses available for racing at such
79 | tracks are given full opportunity to run in the class of races
80 | for which they are qualified. The opportunity of running must be
81 | afforded to each class of horses in the proportion that the
82 | number of horses in this class bears to the total number of
83 | Florida-bred horses available. A track is not required to write
84 | conditions for a race to accommodate a class of horses for which
85 | a race would otherwise not be run at the track during its
86 | meeting.

87 |
88 | ===== T I T L E A M E N D M E N T =====

89 | And the title is amended as follows:

90 | On line(s) 9, after the semicolon,
91 | insert:

92 |
93 | amending s. 550.26165, F.S.; providing legislative intent;
94 | authorizing the Florida Thoroughbred Breeders' Association
95 | to pay breeders', stallion, and owners' awards under
96 | certain circumstances; prohibiting breeders' awards or
97 | stallion awards from being be paid on thoroughbred horse
98 | races taking place in other states or countries; providing
99 | an exception; amending s. 550.2625, F.S.; providing for
100 | state law to govern the owners' awards paid on
101 | thoroughbred horse races in this state if a written
102 | agreement is not on file with the division establishing
103 | the rate, procedure, and eligibility requirements for
104 | Florida owners' awards; amending s. 550.5251, F.S.;
105 | providing an exception to the requirement that each
106 | licensed thoroughbred permitholder in this state must run

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107 | an average of one race per racing day in which horses bred
108 | in this state are given preference as entries over non-
109 | Florida-bred horses;