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CHAMBER ACTION

Senate

House

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Floor: 3/AD/2R
4/2/2008 3:24 PM

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

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

4 Between line(s) 140-141,
5 insert:

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

8 550.26165 Breeders' awards.--

9 (5) The Legislature recognizes that this state is competing
10 with other states to attract thoroughbred breeding and training
11 operations. The awards programs created in this chapter are
12 intended to encourage such operations to locate in this state and
13 must be responsive to rapidly changing programs in other states.
14 Therefore the Legislature finds that it is appropriate to provide
15 greater flexibility to thoroughbred industry participants in this
16 state so that they may design an awards program that is



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17 competitive nationally. To achieve that end notwithstanding any
18 other provision of law:

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 that are 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 that are 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 awards that may be paid pursuant to
43 s. 550.2625(6).

44 (d) A breeders' award or stallion award 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.

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) The provisions of this subsection govern 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 owners' awards,
59 including place of finish, class of race, maximum purse, and
60 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 the 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 | Delete line(s) 2-10

91 | And insert:

92 | An act relating to pari-mutuel wagering; amending s.
93 | 550.334, F.S.; removing provisions requiring an
94 | application to the Division of Pari-mutuel Wagering for a
95 | permit to conduct quarter horse race meetings; removing
96 | provisions for granting a license to conduct quarter horse
97 | racing; removing a provision for governance and control of
98 | quarter horse racing; removing a requirement for
99 | intertrack wagering to be conducted by a quarter horse
100 | permitholder; providing for a grandfather clause; amending
101 | s. 550.26165, F.S.; authorizing the payment of certain
102 | breeders' and stallion awards under certain circumstances;
103 | amending s. 550.2625, F.S.; providing that the provisions
104 | of statute governing certain owners' awards shall govern
105 | in the absence of a written agreement; amending s.
106 | 550.5251, F.S.; providing an exception to the requirement



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107 | that each thoroughbred permitholder run an average of one
108 | race per racing day against horses bred in this state that
109 | have preference over nonstate horses;