

By Senator Oelrich

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1 A bill to be entitled
2 An act relating to pari-mutuel wagering; amending s.
3 550.26165, F.S.; providing for certain flexibility in
4 the awards programs of the Florida Thoroughbred
5 Breeders' Association in order to attract thoroughbred
6 breeding and training operations; prohibiting the
7 association from giving certain awards under certain
8 circumstances; amending s. 550.2625, F.S.; clarifying
9 provisions relating to owners' awards; amending s.
10 550.5251, F.S.; providing an exception to requirements
11 relating to required races for thoroughbred
12 permitholders; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (5) is added to section 550.26165,
17 Florida Statutes, to read:

18 550.26165 Breeders' awards.—

19 (5) (a) The awards programs in this chapter, which are
20 intended to encourage thoroughbred breeding and training
21 operations to locate in this state, must be responsive to
22 rapidly changing incentive programs in other states. To attract
23 such operations, it is appropriate to provide greater
24 flexibility to thoroughbred industry participants in this state
25 so that they may design competitive awards programs.

26 (b) Notwithstanding any other provision of law to the
27 contrary, the Florida Thoroughbred Breeders' Association, as
28 part of its annual plan, may:

29 1. Pay breeders' awards on horses finishing in first,

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30 second, or third place in thoroughbred horse races; pay
31 breeders' awards that are greater than 20 percent and less than
32 15 percent of the announced gross purse; and vary the rates for
33 breeders' awards, based upon the place of finish, class of race,
34 state or country in which the race took place, and the state in
35 which the stallion siring the horse was standing when the horse
36 was conceived;

37 2. Pay stallion awards on horses finishing in first,
38 second, or third place in thoroughbred horse races; pay stallion
39 awards that are greater than 20 percent and less than 15 percent
40 of the announced gross purse; reduce or eliminate stallion
41 awards to enhance breeders' awards or awards under subparagraph
42 3; and vary the rates for stallion awards, based upon the place
43 of finish, class of race, and state or country in which the race
44 took place; and

45 3. Pay awards from the funds dedicated for breeders' awards
46 and stallion awards to owners of registered Florida-bred horses
47 finishing in first, second, or third place in thoroughbred horse
48 rates in this state, without regard to any awards paid pursuant
49 to s. 550.2625(6).

50 (c) Breeders' awards or stallion awards under this chapter
51 may not be paid on thoroughbred horse races taking place in
52 other states or countries unless agreed to in writing by all
53 thoroughbred permitholders in this state, the Florida
54 Thoroughbred Breeders' Association, and the Florida Horsemen's
55 Benevolent and Protective Association, Inc.

56 Section 2. Paragraph (e) is added to subsection (6) of
57 section 550.2625, Florida Statutes, to read:

58 550.2625 Horseracing; minimum purse requirement, Florida

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59 breeders' and owners' awards.-

60 (6)

61 (e) This subsection governs owners' awards paid on
62 thoroughbred horse races only in this state, unless a written
63 agreement is filed with the division establishing the rate,
64 procedures, and eligibility requirements for owners' awards,
65 including place of finish, class of race, maximum purse, and
66 maximum award, and the agreement is entered into by the
67 permitholder, the Florida Thoroughbred Breeders' Association,
68 and the association representing a majority of the racehorse
69 owners and trainers at the permitholder's location.

70 Section 3. Paragraph (a) of subsection (5) of section
71 550.5251, Florida Statutes, is amended to read:

72 550.5251 Florida thoroughbred racing; certain permits;
73 operating days.-

74 (5) (a) Each licensed thoroughbred permitholder in this
75 state must run an average of one race per racing day in which
76 horses bred in this state and duly registered with the Florida
77 Thoroughbred Breeders' Association have preference as entries
78 over non-Florida-bred horses, unless otherwise agreed to in
79 writing by the permitholder, the Florida Thoroughbred Breeders'
80 Association, and the association representing a majority of the
81 thoroughbred racehorse owners and trainers at that location. All
82 licensed thoroughbred racetracks shall write the conditions for
83 such races in which Florida-bred horses are preferred so as to
84 assure that all Florida-bred horses available for racing at such
85 tracks are given full opportunity to run in the class of races
86 for which they are qualified. The opportunity of running must be
87 afforded to each class of horses in the proportion that the

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88 number of horses in this class bears to the total number of
89 Florida-bred horses available. A track is not required to write
90 conditions for a race to accommodate a class of horses for which
91 a race would otherwise not be run at the track during its meet
92 ~~meeting~~.

93 Section 4. This act shall take effect July 1, 2009.