

**SB298 INTRODUCED**



1 SB298  
2 9IFSPPP-1  
3 By Senator Singleton (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-Apr-24



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Greene County Racing Commission; to amend Sections 45-32-150, 45-32-150.01, 45-32-150.02, 45-32-150.06, 45-32-150.07, 45-32-150.08, 45-32-150.11, 45-32-150.12, 45-32-150.13, 45-32-150.16, and 45-32-150.20, Code of Alabama 1975, to increase the annual compensation of members of the commission; to further provide for the duties of members of the commission; to delete certain restrictions on the number of racing days authorized; to increase the authorized license fee; to establish a residency requirement as a condition for licensure; to provide Legislative intent; to further provide for the levy of a local tax on pari-mutuel wagering; to further provide for the distribution of revenues; and to repeal Section 45-32-150.19, Code of Alabama 1975, relating to the manipulation of racing outcomes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-32-150, 45-32-150.01, 45-32-150.02, 45-32-150.06, 45-32-150.07, 45-32-150.08, 45-32-150.11, 45-32-150.12, 45-32-150.13, 45-32-150.16,



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29 45-32-150.20, Code of Alabama 1975, are amended to read as  
30 follows:

31 "§45-32-150

32 (a) The Greene County Racing Commission is ~~hereby~~  
33 created and established and is vested with the powers and  
34 duties specified in this part, and all other powers necessary  
35 and proper to enable it to execute fully and effectually the  
36 purposes of this part. The official name of the commission  
37 shall be Greene County Racing Commission, the same being  
38 sometimes referred to herein as the racing commission or the  
39 commission.

40 (b) The commission shall consist of three persons who  
41 shall be appointed by the ~~Governor~~ legislative delegation that  
42 represents Greene County in the House and the Senate for the  
43 State of Alabama. Each ~~such~~ member shall hold office for a  
44 term of ~~eight~~three years from the effective date of the  
45 appointment; ~~provided, however, the term of office of the~~  
46 ~~present three commissioners shall expire three years after~~  
47 ~~their last appointment~~.

48 (c) If a vacancy occurs for any reason, then that  
49 position shall be filled for the unexpired term and that  
50 commissioner shall be chosen in the same manner as other  
51 commissioners are appointed.

52 (d) All books, records, maps, documents, and papers  
53 shall constitute public records, and shall be available for  
54 copying, examination, and inspection during all normal  
55 business hours by any agency, official, or personnel."

56 "§45-32-150.01



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57 (a) The members of the commission shall be qualified  
58 electors of Greene County and not less than 21 years of age,  
59 who shall have resided in the State of Alabama for a period of  
60 five years next preceding their appointment. Each commissioner  
61 shall take the same constitutional oath of office as other  
62 county officers, and shall give bond payable to the county in  
63 the amount of five thousand dollars (\$5,000), conditioned that  
64 he or she shall faithfully and properly perform the duties of  
65 his or her office. The premiums on such bonds shall be paid by  
66 the commission. The commission may employ such assistance and  
67 employees as may be necessary who shall be paid out of funds  
68 deposited in the county treasury to the credit of the racing  
69 commission.

70 (b) A member of the racing commission may not be an  
71 official member of any board of directors, or person  
72 financially interested in any race track, pari-mutuel license,  
73 or race meeting licensed by the commission, ~~nor shall he or~~  
74 ~~she race dogs in any race meeting licensed by the commission."~~

75 "§45-32-150.02

76 (a) The qualifications and manner of appointment of  
77 members of the Greene County Racing Commission shall be set by  
78 local law. The salary or other compensation of a member of the  
79 Greene County Racing Commission shall be set by the local  
80 legislative delegation that represents Greene County in the  
81 state Legislature. ~~The compensation of each member of the~~  
82 ~~commission shall be twenty-five thousand dollars (\$25,000)~~  
83 ~~annually. Each commissioner who attends a racing event or~~  
84 ~~performs the duties required by this part, at the facility,~~



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85 ~~shall receive an additional fifty dollars (\$50) per day.~~

86 (b) One member of the commission shall be in attendance  
87 or on call to cover each 24-hour pari-mutuel day~~required to be~~  
88 ~~in attendance at each racing event.~~

89 (c) Each member of the Greene County Racing Commission  
90 shall be paid at the same rate as any other employee of the  
91 Greene County Commission for attending any out-of-town meeting  
92 on official business of the Greene County Racing Commission.

93 (d) The ~~above~~ compensation and other sums required to  
94 be paid under this section shall be paid out of the funds in  
95 the county treasury deposited to the credit of the Greene  
96 County Racing Commission and shall be paid to the  
97 commissioners in the same manner as the compensation of other  
98 county officers is paid."

99 "§45-32-150.06

100 Any person, association, or corporation desiring to  
101 operate a racetrack or pari-mutuel license in the county,  
102 shall have the right, subject to this part, to hold and  
103 conduct one or more racing meetings at the track each year,  
104 ~~provided that no such license shall be granted to any person,~~  
105 ~~association, or corporation, or to any track, for a period~~  
106 ~~including more than 313 racing days in any one year.~~ The  
107 racing days shall include the charity days as provided in  
108 Section 45-32-150.21 for the racetrack."

109 "§45-32-150.07

110 ~~No race or racing shall be permitted on Sunday.~~ No  
111 ~~person~~ individual under 18 years of age ~~shall~~ may be employed  
112 in any manner about the race track or pari-mutuel license



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113 ~~except as exercise boys and grooms; nor shall persons under 18~~  
114 ~~years of age~~ or be permitted to attend any race."

115 "§45-32-150.08

116 ~~(a) On or before the first day of December of each~~  
117 ~~year, any~~ Any person, association, or corporation possessing  
118 the qualifications prescribed in this part shall have the  
119 right to apply to the racing commission for a permit or  
120 license to conduct race meetings and racing under this part.

121 ~~(b) On or before the first day of January of each~~  
122 ~~year,~~ Within 30 days after the receipt of any ~~such~~ application  
123 under this section, the commission shall convene to consider  
124 and act upon all permits or licenses ~~applied~~ for which an  
125 application has been received.

126 ~~(c)~~ (c) Approved permits or licenses shall be granted for a  
127 period of not more than 10 years from the date of issuance and  
128 shall set forth, in addition to any other information  
129 prescribed by the commission, the name of the licensee, the  
130 location of the race track or pari-mutuel license, duration of  
131 the race meeting, and the kind of racing desired to be  
132 conducted and shall show the receipt by the commission of a  
133 license fee set by the commission, ~~the setting of which is~~  
134 ~~hereby authorized, provided, however, the license fee shall~~  
135 ~~not exceed one thousand dollars (\$1,000) annually~~.

136 (d) The fee for the license shall be established by the  
137 commission. The annual license fee may not exceed twenty-five  
138 thousand dollars (\$25,000) or, for multi-year contracts, not  
139 more than twenty-five thousand dollars (\$25,000) for each year  
140 of the multi-year contract.



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141 (e) No ~~such~~ license issued under this section shall be  
142 transferable, nor shall it apply to any other place, track, or  
143 enclosure, except ~~the one specified in this license~~with the  
144 approval of the commission.

145 ~~(1) (f) The commission shall not issue any licenses~~  
146 ~~which would permit any two race tracks in the county to~~  
147 ~~operate on the same racing days. Further, after the first~~  
148 ~~license has been issued to the licensee, all subsequent~~  
149 ~~applications for~~ The commission may issue no more than two  
150 racetrack or pari-mutuel licenses and may permit the licensees  
151 to operate on the same days.

152 (g) When applying to renew a license, ~~by a permit~~  
153 ~~holder~~the application shall be accompanied by proof, in ~~such~~ a  
154 form as the commission may require, that the licensee still  
155 possesses the qualifications set out in this part. ~~Such~~ The  
156 application for renewal of ~~licenses~~ a license shall be granted  
157 upon the same terms and conditions as previously issued and  
158 shall not be denied except for due cause.

159 (h) An application for a license to operate a racetrack  
160 or pari-mutuel pool shall only be granted if the applicant is  
161 one of the following:

162 (1) A corporation, association, company, partnership,  
163 or other legal entity that has been incorporated, organized,  
164 or otherwise established in this state that currently holds a  
165 racetrack or pari-mutuel license immediately preceding the  
166 date on which the license is issued.

167 (2) A corporation, association, company, partnership,  
168 or other legal entity that has been incorporated, organized,



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169 or otherwise established in this state for at least five years  
170 or whose managing member or majority officer has been a  
171 resident of this state for at least five years immediately  
172 preceding the date on which the license is issued.

173 (3) An individual who has been a resident of this state  
174 for at least five years immediately preceding the date on  
175 which the license is issued.

176 ~~(2) (i) Seventy-five~~ To the best of a licensee's ability,  
177 75 percent of the employees of the track or tracks shall be  
178 bona fide resident citizens of Greene County, Alabama."

179 "§45-32-150.11

180 The commission shall have the power to grant, refuse,  
181 suspend, or withdraw licenses to all persons connected with  
182 race tracks, including ~~gate keepers,~~ announcers, ushers,  
183 ~~starters,~~ officials, ~~drivers, dog owners, agents, trainers,~~  
184 ~~grooms, stable foremen, exercise boys, veterinarians,~~ valets,  
185 sellers of racing forms or bulletins, and attendants in  
186 connection with the wagering machines, pursuant to ~~such~~ the  
187 ~~rules and regulations as~~ adopted by the commission ~~may adopt~~  
188 and upon the payment of a license fee as fixed and determined  
189 by the commission in accordance with the position and  
190 compensation of such person. Any license may be revoked by the  
191 commission, at its discretion, and any person whose license is  
192 revoked shall be ineligible to participate in such occupation  
193 connected with racing unless the license is returned by the  
194 commission with permission to operate thereunder. The  
195 commission may deny or revoke a license to any person who has  
196 been refused or denied a license by any other state racing





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197 commission or racing authority."

198           "§45-32-150.12

199           (a) The commission shall make rules governing,  
200 permitting, and regulating the wagering on dog races under the  
201 form of mutuel wagering by patrons known as pari-mutuel  
202 wagering, which method shall be legal to the extent that and  
203 so long as, the same is carried on and conducted strictly in  
204 conformity with this part, and not otherwise. Only the  
205 persons, associations, or corporations receiving a license  
206 from the commission shall have the right or privilege to  
207 conduct this type of wagering and the licenses shall restrict  
208 and confine this form of wagering to a space within the race  
209 meeting grounds. All other forms of wagering on the result of  
210 dog races shall continue to be illegal, and any or all  
211 wagering outside of the enclosure of such races, where such  
212 races shall have been licensed by the commission shall be  
213 illegal.

214           (b) No person or corporation shall directly or  
215 indirectly purchase pari-mutuel tickets or participate in the  
216 purchase of any part of a pari-mutuel pool for another for  
217 hire or for any gratuity and no person shall purchase any part  
218 of a pari-mutuel pool through another, wherein he or she gives  
219 or pays directly or indirectly such other person anything of  
220 value. Any person violating this section shall be deemed  
221 guilty of a misdemeanor, and, upon conviction in a court of  
222 competent jurisdiction, shall be punished by a fine of not  
223 more than five hundred dollars (\$500), or by imprisonment not  
224 to exceed six months, or both fine and imprisonment in the



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225 discretion of the court.

226 (c) In addition to other rules and regulations that may  
227 be ~~promulgated~~adopted by the racing commission, the following  
228 shall be complied with by the licensee or operator of the race  
229 plant and employees thereof.:

230 ~~(1) A duly licensed veterinarian shall be on the~~  
231 ~~grounds at weighing time and make examination of the physical~~  
232 ~~condition of each greyhound, and any dog not considered to be~~  
233 ~~in good physical condition, shall be reported to the presiding~~  
234 ~~official.~~

235 ~~(2)~~ (1) An adequate security force shall be employed as  
236 prescribed by the racing commission. Members of security force  
237 shall have the same powers as other law enforcement officers  
238 of the county while performing their duties on the premises of  
239 the racetrack.

240 ~~(3)~~ (2) Public liability insurance shall be carried by  
241 the licensee or operator in an amount and with a company  
242 approved by the racing commission.

243 ~~(4)~~ (3) A pari-mutuel ticket shall not be sold to an  
244 individual who is visibly inebriated.

245 ~~(5) The racing operator is authorized to open the~~  
246 ~~Greene County Racetrack for business and to conduct live~~  
247 ~~greyhound racing and or televised horse or greyhound racing~~  
248 ~~and pari-mutuel wagering during the hours as it deems~~  
249 ~~desirable, however in no event shall the racing commission be~~  
250 ~~authorized to allow live greyhound racing or televised horse~~  
251 ~~or greyhound racing, or both, and pari-mutuel wagering thereon~~  
252 ~~to be conducted after 2:00 AM on Sunday; provided that the~~



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253 ~~racing operator shall not conduct any live racing event at the~~  
254 ~~Greene County Racetrack before 10:00 AM, nor shall it present~~  
255 ~~any televised racing event before 8:00 AM with the hour to be~~  
256 ~~determined according to the time then applicable in Alabama.~~  
257 ~~If the racing operator keeps the Greene County Racetrack open~~  
258 ~~for business until midnight on any day, whether conducting~~  
259 ~~pari-mutuel wagering on live racing or televised racing, or~~  
260 ~~both, the racing operator may continue all or any of its~~  
261 ~~operations past midnight for not exceeding the first two hours~~  
262 ~~of the following day, even if the following day is not a day~~  
263 ~~on which the Greene County Racetrack is scheduled to be open~~  
264 ~~for business as a racing day permitted under this part, and~~  
265 ~~the time, not exceeding two hours, for which the operations of~~  
266 ~~the racetrack are continued into the following day shall not~~  
267 ~~be counted as a racing day or any part thereof against the~~  
268 ~~limit of racing days permitted the racing operator in any one~~  
269 ~~year. A pari-mutuel ticket shall not be sold to an individual~~  
270 ~~who is visibly inebriated.~~

271 ~~(6)~~ (4) Notwithstanding the provisions of this part and  
272 any rules ~~and regulations~~ of the racing commission now in  
273 effect, there shall be no limit imposed upon the number of  
274 races which may be conducted within a single racing program."

275 "§45-32-150.13

276 (a) Every licensee conducting race meetings under this  
277 part, shall pay to the ex-officio treasurer of the racing  
278 commission, for the use of the commission, a tax in an amount  
279 equal to four percent of the total contributions to all  
280 simulcast pari-mutuel pools conducted or made on any race



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281 track or pari-mutuel licensee~~licensed~~ under this part. The  
282 commission of a licensee on a pari-mutuel pool shall in no  
283 event exceed 18 percent of the amount contributed to the  
284 pari-mutuel pool, which amount shall include the four percent  
285 tax heretofore provided. After the deduction of the four  
286 percent for the use of the commission and the percentage  
287 commission of the licensee, the remainder of the total  
288 contributions to each pool shall be divided among and  
289 redistributed to the contributors to such pools betting on the  
290 winning dog. The amount of each redistribution for each  
291 winning bet placed shall be determined by dividing the total  
292 amount remaining in the pool after the deductions hereinabove  
293 provided for by the number of bets placed on the winning dog.  
294 Each redistribution shall be made in a sum equal to the next  
295 lowest multiple of 10. The licensee is entitled to retain the  
296 odd cents of all redistributions to be known as the breaks to  
297 the dime, and all monies represented by any unclaimed,  
298 uncashed, or abandoned pari-mutuel tickets known as outs  
299 money. Under the pari-mutuel system of wagering herein  
300 provided, the licensee shall be permitted to provide separate  
301 pools for bets to win, place, and show and also a daily double  
302 pool, a quiniela pool, double quiniela pool, trifecta pool,  
303 and such other bets and pools as the commission may from time  
304 to time allow. Each pool shall be redistributed separately as  
305 herein provided. Should there be no ticket bet on the winning  
306 dog, the entire pool shall be divided among the holders of  
307 tickets on the dog running next in line until the pool has  
308 been redistributed to the contributors. The licensee shall be



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309 required to use a totalizator machine to record the wagering  
310 and compute the odds. Rules ~~and regulations~~ governing the  
311 operation of each of the pools shall be set out in book form  
312 by the racing commission. ~~The licensee shall collect from each~~  
313 ~~person attending the race meeting under this part 15 percent~~  
314 ~~of the established admissions price or ten cents (\$.10),~~  
315 ~~whichever sum is greater, as an admission tax. Licensees shall~~  
316 ~~make payment of such taxes to the ex-officio treasurer of the~~  
317 ~~racing commission every tenth calendar day of any and every~~  
318 ~~race meeting, which payment shall be accompanied by a report~~  
319 ~~on the races covered by such report and such other information~~  
320 ~~as the commission may require.~~ Every license issued by the  
321 commission shall contain the terms, conditions, provisions,  
322 percentage commissions of licensee, and tax as set forth in  
323 this section, which such terms, conditions, provisions,  
324 percentage commission of licensee, and tax shall not be  
325 altered or changed during the term of such license without the  
326 mutual consent of the commission and licensee.

327 (b) Every licensee conducting historical horse racing  
328 under this part shall pay to the ex-officio treasurer of the  
329 racing commission, for the use of the commission, a tax in an  
330 amount equal to four percent of the total contributions less  
331 prizes paid to winners from all historical horse racing  
332 pari-mutuel pools conducted or made on any racetrack or  
333 pari-mutuel licensee under this part. The tax may be adjusted  
334 as determined necessary by the commission but shall not exceed  
335 four percent."

336 "§45-32-150.16



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337 All fees, commissions, taxes, and other monies,  
338 including fines and forfeitures, received under this part  
339 shall be paid to the Treasurer of Greene County and deposited  
340 by the treasurer in the county treasury to the account of the  
341 Greene County Racing Commission. All such monies remaining,  
342 after payment of expenses incurred in the administration of  
343 this part, including the payment of the salaries and expenses  
344 of the members and employees of this commission, shall be  
345 distributed on a quarterly basis as follows:

346 (1) There shall be distributed to the Greene County  
347 Commission an amount not to exceed two hundred thousand  
348 dollars (\$200,000) per year:

349 a. To pay principal of and interest on bonds, warrants,  
350 or other securities at any time thereafter issued by the  
351 Greene County Commission for the purpose of providing and  
352 equipping the existing jail facility; or constructing new jail  
353 facilities and renovating, improving, and equipping existing  
354 jail facilities.

355 b. To enable the county to make lease rental payments  
356 to any public corporation in an amount sufficient to retire  
357 bonds or other securities issued by such public corporation  
358 for the purpose of providing funds to pay cost of acquiring,  
359 providing, construction, and equipping a new jail facility;  
360 renovating, improving, and equipping the existing jail  
361 facility; or constructing new jail facilities and renovating  
362 existing jail facilities, or any combination thereof.

363 c. To pay principal of and any interest on bonds,  
364 warrants, or other securities at any time hereafter issued by



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365 the Greene County Commission for the purpose of providing  
366 funds to pay costs of acquiring, providing, constructing, and  
367 equipping a new county courthouse; renovating, improving, and  
368 equipping the existing county courthouse.

369 d. To enable the county to make lease rental payments  
370 to any public corporation in an amount sufficient to retire  
371 bonds or other securities issued by such public corporation  
372 for the purpose of providing funds to pay costs of acquiring,  
373 providing, construction, and equipping a new county  
374 courthouse; renovating, improving, and equipping the existing  
375 county courthouse; or acquiring, providing, constructing, and  
376 equipping a new county courthouse and renovating, improving,  
377 and equipping the existing county courthouse or any  
378 combination thereof. At such time as the principal and  
379 interest bonds, warrants, or other securities heretofore  
380 mentioned are satisfied, then the sum shall be prorated  
381 equally as provided in the following subdivisions (2), (3),  
382 (4), and (5).

383 The balance is to be distributed as follows:

384 (2) Twenty-five percent of the monies shall be  
385 appropriated to the municipalities of Greene County on a per  
386 capita basis according to the most recent population figures  
387 used by the federal government for the purpose of revenue  
388 sharing, or if these figures are not available, the most  
389 recent federal decennial census shall be used.

390 (3) Five percent to the Greene County Hospital Board.

391 (4) Thirty percent of the monies shall be appropriated  
392 to the Greene County Board of Education.



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393 (5) Forty percent of the monies shall be appropriated  
394 to the General Fund of Greene County to be allocated and spent  
395 in the following prescribed manner:

396 a. ~~Fifty-five and one-half~~Forty percent of this amount  
397 shall remain unearmarked and may be spent in any manner,  
398 provided by law, for the benefit of the citizens of Greene  
399 County, by the county governing body thereof.

400 b. Ten percent to be used by the county governing body  
401 to upgrade law enforcement in the county.

402 c. Eight and one-half percent to be used by the county  
403 governing body for the benefit of the fire department.

404 ~~e.d.~~ Eight percent for the maintenance of a county  
405 ambulance service.

406 ~~d.e.~~ TwoSix percent for the establishment and  
407 maintenance of day care centers within the county.

408 ~~e.f.~~ Three and one-half percent to be appropriated to  
409 the Greene County Library Association for the upgrading of the  
410 library system.

411 ~~f.g.~~ One percent to be appropriated to the Community  
412 Services Programs of Tuscaloosa-Bibb Counties, Incorporated,  
413 to be used for assistance to low income residents of Greene  
414 County.

415 ~~g.h.~~ Two percent to be appropriated to West Alabama  
416 Mental Health Center, Incorporated, to be used for mental  
417 health services within Greene County.

418 ~~h.i.~~ One percent to be appropriated to the Greene  
419 County Retired Senior Volunteer Program (RSVP).

420 ~~i.j.~~ Two and one-half percent to be appropriated to the





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421 Society of Folk Arts and Culture, Incorporated, for culture  
422 and youth development.

423 ~~j~~.k. One percent to be appropriated to the Greene  
424 County Commission to be used as follows:

425 1. One-third of the one percent thereof to be used by  
426 the county commission in cultural and historical preservation.

427 2. One-third of the one percent thereof to the Greene  
428 County Historical Society for their use in restoring and  
429 preserving historic sites and buildings in the county.

430 3. One-third of the one percent thereof to the Alabama  
431 Civil Rights Educational Freedom Museum, Incorporated.

432 ~~k~~.l. Two percent to the Greene County Health Department  
433 to be used for general health care in Greene County and to  
434 augment the Women, Infants and Children (WIC) and related  
435 health programs in Greene County.

436 ~~l~~.m. Three percent to be appropriated to the Parks and  
437 Recreation Board. No more than 15 percent of the three percent  
438 thereof shall be used for maintenance and development of the  
439 Greene County Golf Course.

440 ~~m~~.n. Four and one-half percent to Greene County  
441 Community Improvement Association for the construction,  
442 renovation, and operation of community centers in Tishabee,  
443 Clinton, Dollarhide, Knoxville, Mantua, and Mt. Hebron. When  
444 the foregoing facilities have been constructed and renovated  
445 in these communities, then the funds shall be designated for  
446 the general use and operations of the Greene County Community  
447 Improvement Association for the construction of additional  
448 community centers and the operation of community centers in



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449 Greene County.

450 ~~n.o.~~ One and three-quarters percent to be appropriated  
451 to Branch Heights.

452 ~~o.p.~~ Three-quarters percent to be appropriated to the  
453 county department of human resources.

454 ~~p.q.~~ One and one-half percent to be appropriated to the  
455 E-911 system.

456 r. Two percent to the local legislative delegation."

457 "§45-32-150.20

458 ~~(a) It shall be unlawful for any person to transmit or~~  
459 ~~communicate to another by any means whatsoever the results,~~  
460 ~~changing odds, track conditions, or any other information~~  
461 ~~relating to any greyhound race from any race track in this~~  
462 ~~county, between the period of time beginning one hour prior to~~  
463 ~~the first race of the day and ending 30 minutes after the~~  
464 ~~posting of the official results of each race, as to that~~  
465 ~~particular race, except that this period may be reduced to~~  
466 ~~permit the transmitting of the results of the last race each~~  
467 ~~day not sooner than 15 minutes after the official posting of~~  
468 ~~such results. Provided, however, that the commission may, by~~  
469 ~~rule, permit the immediate transmission by radio, television,~~  
470 ~~or press wire of any pertinent information concerning feature~~  
471 ~~aces.~~

472 ~~(b)~~ (a) It shall be unlawful for any person to transmit  
473 by any means whatsoever racing information to any other  
474 person, or to relay the same to any other person by word of  
475 mouth, by signal, or by use of telephone, telegraph, radio, or  
476 any other means, when the information is knowingly used or



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477 intended to be used for illegal gambling purposes, or in  
478 furtherance of such gambling purposes.

479 ~~(e)~~ (b) Any person violating this section shall be  
480 guilty of a felony and, upon conviction, shall be imprisoned  
481 in the state penitentiary for not less than one year nor more  
482 than 10 years, or shall be fined not less than one thousand  
483 dollars (\$1,000) nor more than five thousand dollars (\$5,000),  
484 or both, in the discretion of the court."

485 Section 2. (a) The Legislature hereby finds and  
486 declares that a computerized machine, which replays actual  
487 historical horse races and allows pari-mutuel wagering  
488 thereon, is already a permissible lawful activity at each of  
489 the four pari-mutuel wagering racetracks in the State of  
490 Alabama. The Legislature hereby further finds and declares  
491 that a uniform local tax on the handle from pari-mutuel  
492 wagering on these historical horse racing computerized  
493 machines is necessary for the licensed racetrack and  
494 pari-mutuel licenses located in Greene County so that such  
495 racetrack and pari-mutuel licenses can be competitive with the  
496 other racetracks and pari-mutuel licenses located in the State  
497 of Alabama.

498 (b) For purposes of this act, pari-mutuel wagering on  
499 historical horse racing computerized machines may be conducted  
500 without regard to any of the following: (i) The type of  
501 graphics on the machine used to conduct the activity; whether  
502 the patron chooses a specific horse upon which to wager; and  
503 (iii) whether the patron watches all or part of the historical  
504 race.



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505 (c) The local tax on pari-mutuel wagering on historical  
506 horse races on these computerized machines at the Greene  
507 County racetrack and other pari-mutuel licenses shall be  
508 calculated at a rate up to four percent and the state tax rate  
509 shall be levied at one percent and shall be collected,  
510 administered, and distributed in the same manner and on the  
511 same terms as are applicable to the local pari-mutuel tax on  
512 live greyhound racing conducted at the Greene County racetrack  
513 and pari-mutuel licenses, provided that the total handle less  
514 prizes paid to winners from pari-mutuel wagering of historical  
515 horse races on these computerized machines shall be separately  
516 calculated from any other racing handle, live or simulcast,  
517 and provided further, that the local tax shall be in lieu of  
518 any local tax on pari-mutuel wagering on historical horse  
519 races on these computerized machines that may otherwise be  
520 imposed under Section 45-32-151.02, Code of Alabama 1975.

521 Section 3. Section 45-32-150.19, Code of Alabama 1975,  
522 relating to the manipulation of race outcomes, is repealed.

523 Section 4. This act shall become effective immediately  
524 upon its passage and approval by the Governor, or its  
525 otherwise becoming law.