

SENATE BILL No. 465

By Committee on Ways and Means

2-20

1 AN ACT concerning the expanded lottery act; relating to racetrack gaming
2 facilities; net electronic gaming machine income; expanded lottery act
3 revenues fund; amending K.S.A. 74-8747 and repealing the existing
4 section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 74-8747 is hereby amended to read as follows: 74-
8 8747. (a) *A racetrack gaming facility management contract shall include*
9 *provisions for net electronic gaming machine income from a racetrack*
10 *gaming facility shall to be distributed as follows:*

11 (1) ~~To the racetrack gaming facility manager, an amount equal to 25%~~
12 ~~of net electronic gaming machine income;~~

13 (2) *An amount equal to 7% of net electronic gaming machine income*
14 *shall be credited to the live horse racing purse supplement fund established*
15 *by K.S.A. 74-8767, and amendments thereto, except that the amount of net*
16 *electronic gaming machine income credited to the fund during any fiscal*
17 *year from electronic gaming machines at a racetrack gaming facility shall*
18 *not exceed an amount equal to the average of \$3,750 per electronic gaming*
19 *machine at each location and any moneys in excess of such amount shall*
20 *be distributed between the state and the racetrack gaming facility manager*
21 *in accordance with the racetrack gaming facility management contract;*

22 (3)(2) *an amount equal to 7% of net electronic gaming machine*
23 *income derived from electronic gaming machines located at racetrack*
24 *gaming facilities to conduct live greyhound races shall be credited to the*
25 *live greyhound racing purse supplement fund established by K.S.A. 74-*
26 *8767, and amendments thereto, except that the amount of net electronic*
27 *gaming machine income credited to the fund during any fiscal year from*
28 *electronic gaming machines at a racetrack gaming facility shall not exceed*
29 *an amount equal to the average of \$3,750 per electronic gaming machine*
30 *at each location and any moneys in excess of such amount shall be*
31 *distributed between the state and the racetrack gaming facility manager in*
32 *accordance with the racetrack gaming facility management contract;*

33 (4)(3) (A) *if the racetrack gaming facility is located in the northeast*
34 *Kansas gaming zone and is not located within a city, include a provision*
35 *for payment of an amount equal to 3% of the racetrack gaming facility*
36 *revenues an amount equal to 2% of net electronic gaming machine income*

1 ~~shall be paid to the county in which~~ where the racetrack gaming facility is
 2 located; or (B) if the racetrack gaming facility is located in the northeast
 3 Kansas gaming zone and is located within a city, ~~include provision for~~
 4 ~~payment of an amount equal to 1.5% of the racetrack gaming facility~~
 5 ~~revenues~~ an amount equal to 1% of net electronic gaming machine income
 6 shall be paid to the city ~~in which~~ where the racetrack gaming facility is
 7 located and an amount equal to ~~1.5% of such revenues~~ 1% of net
 8 electronic gaming machine income shall be paid to the county ~~in which~~
 9 where such facility is located;

10 ~~(5)(4)~~ (A) if the racetrack gaming facility is located in the ~~southeast~~
 11 ~~or~~ south central Kansas gaming zone and is not located within a city,
 12 ~~include a provision for payment of an amount equal to 2% of the racetrack~~
 13 ~~gaming facility revenues~~ an amount equal to 2% of net electronic gaming
 14 machine income shall be paid to the county ~~in which~~ where the racetrack
 15 gaming facility is located ~~and an amount equal to 1% of such revenues to~~
 16 ~~the other county in such zone;~~ or (B) if the racetrack gaming facility is
 17 located in the ~~southeast or~~ south central Kansas gaming zone and is
 18 located within a city, ~~provide for payment of an amount equal to 1% of the~~
 19 ~~racetrack gaming facility revenues~~ an amount equal to 1% of net
 20 electronic gaming machine income shall be paid to the city ~~in which~~
 21 where the racetrack gaming facility is located, and an amount equal to 1%
 22 of such revenues net electronic gaming machine income shall be paid to
 23 the county ~~in which~~ where such facility is located ~~and an amount equal to~~
 24 1% of such revenues to the other county in such zone;

25 (5) (A) if the racetrack gaming facility is located in the southeast
 26 Kansas gaming zone and is not located within a city, an amount equal to
 27 2% of net electronic gaming machine income shall be paid to the county
 28 where the racetrack gaming facility is located, and an amount equal to 1%
 29 of net electronic gaming machine income shall be paid to the other county
 30 in such zone; or (B) if the racetrack gaming facility is located in the
 31 southeast Kansas gaming zone and is located within a city, an amount
 32 equal to 1% of net electronic gaming machine income shall be paid to the
 33 city where the racetrack gaming facility is located, an amount equal to 1%
 34 of net electronic gaming machine income shall be paid to the county where
 35 the racetrack gaming facility is located, and an amount equal to 1% of net
 36 electronic gaming machine income shall be paid to the other county in
 37 such zone;

38 (6) an amount equal to 2% of net electronic gaming machine income
 39 shall be credited to the problem gambling and addictions grant fund
 40 established by K.S.A. 2019 Supp. 79-4805, and amendments thereto;

41 (7) an amount equal to 1% of net electronic gaming machine income
 42 shall be credited to the Kansas horse fair racing benefit fund established by
 43 K.S.A. 74-8838, and amendments thereto;

1 (8) ~~40%~~*an amount equal to 31%* of net electronic gaming machine
2 income shall be credited to the expanded lottery act revenues fund; and

3 (9) ~~15% of electronic gaming machine income shall be used for~~
4 ~~gaming expenses, subject to agreement between the Kansas lottery and the~~
5 ~~remaining balance of net electronic gaming machine income shall be paid~~
6 ~~to the racetrack gaming facility manager.~~

7 (b) A racetrack gaming facility management contract may include
8 provisions for a parimutuel licensee or any other entity to pay the
9 parimutuel licensee's expenses related to electronic gaming machines, as
10 the executive director deems appropriate, ~~subject to the requirements of~~
11 ~~subsection (a)(9).~~

12 Sec. 2. K.S.A. 74-8747 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.