

Introduced by

Senators Myrdal, Luick, Bell

Representatives Paur, Steiner

1 A BILL for an Act to amend and reenact section 53-06.2-01, subsection 3 of section 53-06.2-07,  
2 and section 53-06.2-15 of North Dakota Century Code, relating to pari-mutuel horse racing; and  
3 to repeal section 53-06.2-03 of the North Dakota Century Code, relating to the appointment of a  
4 director of racing.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 53-06.2-01 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **53-06.2-01. Definitions.**

9 As used in this chapter:

- 10 1. "Breeders' fund" means a fund, administered by the commission, established to  
11 financially reward breeders or owners of North Dakota-bred horses to be paid in  
12 accordance with rules as approved by the commission.
- 13 2. "Certificate system" means the system of betting described in section 53-06.2-10.
- 14 3. "Charitable organization" means a nonprofit organization operated for the relief of  
15 poverty, distress, or other conditions of public concern in this state and has been so  
16 engaged in this state for at least two years.
- 17 4. "Civic and service club" means a branch, lodge, or chapter of a nonprofit national or  
18 state organization that is authorized by its written constitution, charter, articles of  
19 incorporation, or bylaws to engage in a civic or service purpose in this state and has  
20 so existed in this state for at least two years. The term includes a similar local  
21 nonprofit organization, not affiliated with a state or national organization, which is so  
22 recognized by a resolution adopted by the governing body of the local jurisdiction in  
23 which the organization conducts its principal activities, and which has existed in this  
24 state for at least two years.

Sixty-seventh  
Legislative Assembly

- 1       5. "Commission" means the North Dakota racing commission.
- 2       6. ~~"Director" means the director of the commission.~~
- 3       7. "Fraternal organization" means a nonprofit organization in this state, which is a  
4       branch, lodge, or chapter of a national or state organization and exists for the common  
5       business, brotherhood, or other interests of its members, and has so existed in this  
6       state for two years. The term does not include a college or high school fraternity.
- 7       ~~8-7.~~ "Local jurisdiction" means, with respect to a site inside the city limits of a city, that city,  
8       and with respect to a site not inside the city limits of a city, the county in which the site  
9       is located.
- 10      ~~9-8.~~ "Other public-spirited organization" means a nonprofit organization recognized by the  
11      governing body of the appropriate local jurisdiction by resolution as public-spirited and  
12      eligible under this chapter.
- 13      ~~10-9.~~ "Purse fund" means a fund, administered by the commission, established to  
14      supplement and improve purses offered at racetracks within the state.
- 15      ~~11-10.~~ "Racing" means live or simulcast horse racing under the certificate system or  
16      simulcast dog racing under the certificate system.
- 17      ~~12-11.~~ "Racing promotion fund" means a fund administered by the commission established to  
18      assist in improving and upgrading racetracks in the state, promoting horse racing in  
19      the state, and developing new racetracks in the state as necessary and approved by  
20      the commission.
- 21      ~~13-12.~~ "Religious organization" means a nonprofit organization, church, body of  
22      communicants, or group gathered in common membership for mutual support and  
23      edification in piety, worship, and religious observances, and which has been so  
24      gathered or united in this state for at least two years.
- 25      ~~14-13.~~ "Veterans' organization" means a congressionally chartered organization in this state,  
26      or a branch, lodge, or chapter of a nonprofit national or state organization in this state,  
27      the membership of which consists of individuals who were members of the armed  
28      services or forces of the United States, and which has so been in existence in this  
29      state for at least two years.

30       **SECTION 2. AMENDMENT.** Subsection 3 of section 53-06.2-07 of the North Dakota  
31      Century Code is amended and reenacted as follows:

1           3.    At least thirty days before the commission issues or renews a license to conduct  
2                races, the applicant shall deliver a complete copy of the application to the local  
3                jurisdiction governing body. The application to the commission must include a  
4                certificate verified by a representative of the applicant, indicating delivery of the  
5                application copy to the governing body. If the governing body of the local jurisdiction  
6                adopts a resolution disapproving the application for license or renewal and so informs  
7                the ~~director~~commission within thirty days of receiving a copy of the application, the  
8                license to conduct races may not be issued or renewed.

9           **SECTION 3. AMENDMENT.** Section 53-06.2-15 of the North Dakota Century Code is  
10           amended and reenacted as follows:

11           **53-06.2-15. Revocation, suspension, fine - Procedure.**

12           The commission, on proof of violation by a licensee, its agents or employees, of this chapter  
13           or any rule adopted by the commission ~~may~~, on reasonable notice to the licensee and after  
14           giving the licensee an opportunity to be heard, may fine the licensee or revoke or suspend the  
15           license. If the license is revoked, the licensee is not eligible to receive another license within  
16           twelve months from the date of revocation. Every decision or order of the commission must be  
17           made in writing and filed with the ~~director~~attorney general for preservation as a permanent  
18           record of the commission. The decision must be signed by the chairman, ~~attested by the~~  
19           ~~director~~, and dated.

20           **SECTION 4. REPEAL.** Section 53-06.2-03 of the North Dakota Century Code is repealed.