

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1139**

Introduced by Mello, 5.

Read first time January 19, 2012

Committee: General Affairs

A BILL

- 1 FOR AN ACT relating to horseracing; to amend section 2-1215, Reissue
- 2 Revised Statutes of Nebraska; to prohibit receiving
- 3 certain types of wagers as prescribed; to provide a
- 4 penalty; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 2-1215, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           2-1215 (1) Except as provided in subsection (2) of this  
4 section, (a) any ~~Any~~ person, corporation, or association holding or  
5 conducting any horserace or horserace meeting in connection with  
6 which the ~~said~~ parimutuel system of wagering is used or to be used,  
7 without a license duly issued by the State Racing Commission, (b) ~~+~~  
8 ~~or~~ any person, corporation, or association holding or conducting  
9 horseraces or horserace meetings in connection with which any  
10 wagering is permitted otherwise than in the manner hereinbefore  
11 specified, ~~;~~ or (c) any person, corporation, or association violating  
12 any of the provisions of sections 2-1201 to 2-1218 or any ~~of the~~  
13 rules and regulations ~~prescribed~~ adopted and promulgated by the  
14 commission, ~~shall be~~ is guilty of a Class I misdemeanor.

15           (2)(a) Any person operating an advanced-deposit wagering  
16 system or a secondary parimutuel organization that takes or receives  
17 wagers from residents of this state on any thoroughbred horserace in  
18 violation of sections 2-1201 to 2-1218 is guilty of a Class IV  
19 felony.

20           (b) For purposes of this subsection:

21           (i) Advanced-deposit wagering system means a system  
22 whereby wagers are debited and payouts credited to an advanced-  
23 deposit account held by an association or secondary parimutuel  
24 organization; and

25           (ii) Secondary parimutuel organization means an entity

1 other than a licensed association that offers and accepts parimutuel  
2 wagers. Secondary parimutuel organization may include an off-track  
3 wagering system or an account wagering system.

4 (c) Nothing in this subsection shall prohibit an  
5 association or public benefit corporation licensed by the State  
6 Racing Commission from establishing an advanced-deposit wagering  
7 system at a racetrack so long as such association or public benefit  
8 corporation complies with law and any rules and regulations adopted  
9 and promulgated by the commission.

10 Sec. 2. Original section 2-1215, Reissue Revised Statutes  
11 of Nebraska, is repealed.