

H. B. No. 665
As Introduced

_____ moved to amend as follows:

In line 6 of the title, after "3749.01" insert ", 3769.082,
3769.0811" 1
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In line 16 of the title, after "993.99" insert ", 3769.086," 3

In line 29, after "3749.01" insert ", 3769.082, 3769.0811" 4

In line 36, after "993.99" insert ", 3769.086," 5

After line 1440, insert: 6

"Sec. 3769.082. (A) There is hereby created in the state 7
treasury the Ohio fairs fund. ~~Moneys to the credit of The~~ 8
director of agriculture shall distribute money in the fund ~~shall~~ 9
~~be distributed by the director of agriculture annually, on or~~ 10
before the first day of March, as follows: 11

(1) To each county agricultural society and to each 12
independent agricultural society conducting an annual fair, 13
twelve per cent of the total ~~moneys~~ money in the Ohio fairs 14
fund, to be allocated for general operations; 15

(2) To the Ohio expositions commission, the sum of one 16
hundred twenty thousand dollars annually, to be divided equally 17



as purse money among four stake races for two-year-old and 18
three-year-old colts and for four stake races for two-year-old 19
and three-year-old fillies at each gait of trotting and pacing; 20
provided, that five thousand dollars and all entry fees shall be 21
added to each race by the Ohio expositions commission. 22

~~If the races in this division cannot be contested due to 23
unfavorable weather or other unavoidable cause, the races may be 24
transferred to a suitable track approved by the director of 25
agriculture and the Ohio exposition commission. 26~~

(3) To each county agricultural society and each 27
independent agricultural society conducting horse races during 28
~~their~~ its annual fair, the sum of four thousand dollars, to be 29
used as purse money for horse races in accordance with this 30
section, and the additional sum of one thousand dollars to each 31
such county agricultural society and independent agricultural 32
society to be used for race track maintenance and other expenses 33
necessary for the conduct of such horse races or colt stakes. 34

A grant of four thousand dollars shall be available to 35
each county or independent agricultural society for the conduct 36
of four stake races for two-year-old and three-year-old colts 37
and for four stake races for two-year-old and three-year-old 38
fillies at each gait of trotting and pacing; provided, that at 39
least five hundred dollars shall be added to each race. 40
Exclusive of entrance fees and the excess ~~moneys~~ money provided 41
in division (A) (4) of this section from the grant of four 42
thousand dollars for purse money provided in this division, a 43
sum not to exceed three thousand dollars may be used by a 44
society to reach the required purse for each of the eight stake 45
races. Such stake races shall be distributed as evenly as 46
possible throughout the racing season. 47

(4) In the event that the ~~moneys~~money available on the 48
first day of March of any year are less than that required to 49
carry out divisions (A)(1), (2), and (3) of this section, the 50
~~moneys~~money so available in the Ohio fairs fund shall be 51
prorated equally to the items set forth in such divisions. In 52
the event that the ~~moneys~~money available on the first day of 53
March of any year are in excess of that required to carry out 54
divisions (A)(1), (2), and (3) of this section, such excess 55
shall be distributed equally to those county agricultural 56
societies and independent agricultural societies conducting 57
stake races, such excess to be added to the stake races 58
conducted under division (A)(3) of this section. The balance of 59
such excess shall be distributed to provide four per cent of 60
such excess to the Ohio expositions commission to be added to 61
the purses pursuant to division (A)(2) of this section, and the 62
balance shall be distributed to the county and independent 63
agricultural societies conducting stake races, such excess to be 64
added to and divided equally among the stake races conducted 65
under division (A)(3) of this section. 66

(B) County agricultural societies and independent 67
agricultural societies participating under division (A)(3) of 68
this section shall, on or before the first day of November in 69
the year immediately preceding the year in which the ~~moneys~~
money are to be distributed, make application for participation 70
in such distribution to the director of agriculture on forms 71
provided by the director. 72
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(C) Distribution of ~~moneys~~money pursuant to division (A) 74
(3) of this section shall not be paid to county agricultural 75
societies and independent agricultural societies that conduct on 76
their race courses automobile or motorcycle races during any 77
year for which such distribution is requested, unless such 78

automobile or motorcycle races are not conducted during the days 79
 and nights that horse racing is being conducted at such fair. 80

(D) All the foals in stake races conducted for two-year- 81
 old and three-year-old colts and fillies under this section 82
 shall have been sired by a stallion registered with the state 83
 racing commission. To be eligible for registration, a stallion 84
 shall be one of the following: 85

(1) Owned by a resident of Ohio and regularly standing the 86
 entire stud season in Ohio; 87

(2) Owned by a resident of a state other than Ohio but 88
 regularly standing the entire stud season in Ohio and leased by 89
 a resident of Ohio for a term of not less than ten years; 90

(3) Owned jointly by a resident of a state other than Ohio 91
 and a resident of Ohio, regularly standing the entire stud 92
 season in Ohio, and leased by a resident of Ohio for a term of 93
 not less than ten years. 94

Each race shall be conditioned to admit only registered 95
 two-year-old and three-year-old colts and fillies sired by a 96
 registered stallion owned or leased and permanently standing for 97
 service at and within this state at the time of the foal's 98
 conception. All other conditions for the scheduling and conduct 99
 of these races shall be approved by the state racing commission. 100
 The races shall be scheduled subject to the right of the 101
 commission to prevent conflicts in the event of contemporaneous 102
 meetings. 103

Such stake races shall be open for nomination not earlier 104
 than the fifteenth day of February in the year the race is to be 105
 held. All entrance fees in such events shall be added to the 106
~~moneys~~ money distributed under this section as purse money. 107

(E) The state racing commission shall make unannounced 108
periodic urine, saliva, or blood tests of horses competing in 109
the events raced under this section. 110

(F) The director of agriculture shall provide forms for 111
application for distribution under division (A) (3) of this 112
section, shall adopt such rules as are necessary for carrying 113
out this section, and may make such investigations as are 114
necessary to determine the validity of any claims and 115
applications for distribution of ~~moneys~~ money under this 116
section. 117

(G) Any county agricultural society or independent 118
agricultural society which uses the ~~moneys~~ money distributed 119
under this section for any purpose other than that provided in 120
this section is not eligible to receive distribution from the 121
Ohio fairs fund for a period of two years after such misuse of 122
such ~~moneys~~ money occurs. 123

(H) As used in this section, "horse races" and "stake 124
races" include either harness races or running races. 125

Sec. 3769.086. (A) If a county agricultural society or 126
independent agricultural society is unable to conduct races in 127
accordance with section 3769.082 of the Revised Code because of 128
unfavorable weather or another cause or if the number of horse 129
races and stake races that are conducted by an agricultural 130
society is fewer than the number that was scheduled to be 131
conducted, the pro rata remainder of the money distributed from 132
the Ohio fairs fund under division (A) (3) of section 3769.082 of 133
the Revised Code for each horse race and stake race not 134
conducted shall be returned to the director to be credited to 135
the fund. 136

(B) If a county agricultural society or independent agricultural society is unable to conduct an annual fair, the society shall return the money distributed by the director in accordance with division (A) (1) of section 3769.082 of the Revised Code. However, the society may keep such money if the society cancels the annual fair because of unfavorable weather or another cause, provided that the society still conducts live horse racing. 137
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(C) If the Ohio expositions commission is unable to conduct an annual fair, the commission shall return the money distributed by the director in accordance with division (A) (2) of section 3769.082 of the Revised Code. However, the commission may keep such money if the society cancels the annual fair because of unfavorable weather or another cause, provided that the commission still conducts live horse racing. 145
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Sec. 3769.0811. ~~Horse~~ (A) (1) Except as provided in division (A) (2) of this section, horse races that are conducted by a county agricultural society or independent agricultural society in accordance with section 3769.082 of the Revised Code shall be conducted at the fairgrounds of the sponsoring agricultural society or, with the approval of the director of agriculture, at a track designated by the agricultural society in the applicable county. ~~If~~ The horse races may be transferred to a suitable track with the approval of the director if the horse races cannot be contested due to unfavorable either of the following: 152
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(a) Unfavorable weather or another; 163

(b) Another cause, the races may be transferred to a suitable track with the approval of the director. 164
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~~If a county agricultural society or independent agricultural society is unable to conduct races in accordance with section 3769.082 of the Revised Code because of unfavorable weather or another cause or if the number of horse races and stake races that are conducted by an agricultural society is fewer than the number that was scheduled to be conducted, the pro rata remainder of the money distributed from the Ohio fairs fund created in section 3769.082 of the Revised Code for each horse race and stake race not conducted shall be returned to the director to be credited to the fund.~~

(2) If the cause specified in division (A)(1)(b) of this section occurs during a state of emergency declared by the governor, or receipt of the director's approval is not practical, the county or independent agricultural society and the Ohio harness horsemen's association may agree to alternate accommodations, including the rescheduling of the dates and location of any horse race. Such an agreement is not subject to the approval of the director.

(B)(1) Except as provided in division (B)(2) of this section, if the races specified in division (A)(2) of section 3769.082 of the Revised Code cannot be contested by the Ohio expositions commission due to unfavorable weather or other unavoidable cause, the races may be transferred to a suitable track approved by the director of agriculture and the commission.

(2) If the unavoidable cause occurs during a state of emergency declared by the governor, or receipt of the director's approval is not practical, the Ohio expositions commission and the Ohio harness horsemen's association may agree to alternative accommodations, including the rescheduling of the dates and

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| <u>location of any horse race. Such an agreement is not subject to</u> | 196 |
| <u>the approval of the director."</u> | 197 |
| In line 1467, after "1711.53," insert "1711.531," | 198 |
| In line 1468, after "3749.01," insert "3769.082, 3769.0811, and"; | 199 |
| delete the last "," | 200 |
| In line 1469, delete "901.06, and 1711.531" | 201 |
| In line 1482, delete "Notwithstanding Chapter 1711. or section | 202 |
| 3769.082 of" | 203 |
| Delete lines 1483 through 1500 | 204 |
| In line 1501, delete "(D)" | 205 |

The motion was _____ agreed to.

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| <u>SYNOPSIS</u> | 206 |
| Horse racing | 207 |
| R.C. 3769.082, 3769.086, 3769.0811, and Section 4 | 208 |
| Removes uncodified provisions specifying that the | 209 |
| following apply during any time period that mass gatherings are | 210 |
| restricted under a COVID-19 Executive Order: | 211 |
| 1. If a county or independent agricultural society or the | 212 |
| Ohio Expositions Commission cancels an annual fair, the Director | 213 |
| of Agriculture must still distribute money from the Ohio Fairs | 214 |
| Fund. (The distributed amount must equal the amount that would | 215 |
| have been distributed if the society or Commission had held the | 216 |
| annual fair.) | 217 |

2. If a county or independent agricultural society or the Ohio Expositions Commission is unable to conduct a previously scheduled horse race, the society or Commission and the Ohio Harness Horsemen's Association may agree to alternative racing accommodations.

3. An agreement under (2) above is not subject to the approval of the Director of Agriculture.

Instead, specifies in the Revised Code that if a county or independent agricultural society or the Ohio Expositions Commission is unable to conduct a previously scheduled live horse race on the originally scheduled date and time (due to a cause occurring during a state of emergency or if receipt of the Director is not practical), the society or the Commission and the Ohio Harness Horsemen's Association may agree to alternative accommodations.

Specifies that the alternative accommodations may include the rescheduling of the dates and location of any horse race.

Also specifies that the agreement is not subject to the approval of the Director of Agriculture.

Specifies that if a county agricultural society or independent agricultural society or the Ohio Expositions Commission is unable to conduct an annual fair, the society or Commission must return the Ohio Fairs Fund money distributed by the Director to the society (for general operations) or to the Commission (for horse racing). However, specifies that the society or Commission may keep the money if the society or Commission cancels the annual fair because of unfavorable weather or another cause, provided that the society or Commission still conducts live horse racing.