

**CHAPTER 167. SIMULCASTING**

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**Authority**

The provisions of this Chapter 167 issued under the Race Horse Industry Reform Act (4 P. S. §§ 325.101—325.402), unless otherwise noted.

**Source**

The provisions of this Chapter 167 adopted December 17, 1982, effective December 18, 1982, 12 Pa. B. 4287, unless otherwise noted.

**§ 167.1. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Race Horse Industry Reform Act (4 P. S. §§ 325.101—325.402).

*Cross-simulcast*—A simulcast of a horse race of a type other than that conducted at the track where the race is televised.

*Horse race*—A thoroughbred or harness horse race.

*Race meeting*—The period for which approval to conduct races has been granted to an association licensed to race by the State Harness Racing Commission or the Commission.

*Simulcast*—An electronically televised horse race which is conducted at a track other than the track where the race is televised.

**§ 167.2. Applications for permission to operate simulcasts.**

(a) An application for permission to operate a simulcast or cross-simulcast by a corporation licensed by the Commission shall be submitted to the Commission at least 60 days in advance of the running of the race for which permission is sought. The 60-day requirement may be waived by the Commission upon cause shown.

(b) An application for permission to operate a simulcast or cross-simulcast by a corporation licensed by the State Harness Racing Commission shall be submitted to the State Harness Racing Commission at least 60 days in advance of the running of the race for which permission is sought. The 60-day requirement may be waived by the State Harness Commission upon cause shown.

**Cross References**

This section cited in 58 Pa. Code § 167.3 (relating to permitted simulcasts).

**§ 167.3. Permitted simulcasts.**

(a) The Commission and the State Harness Racing Commission each may, upon request by a corporation licensed under the act, grant permission for simulcasts of horse races to be operated by the licensed corporation at the race track enclosure where a horse race meeting is being conducted during, between, before or after posted races for that racing day. The simulcasts shall be limited to horse races conducted at facilities outside this Commonwealth. Forms of parimutuel wagering permitted under section 221 of the act (4 P. S. § 325.221) are allowed on races which are simulcast. Simulcasts of horse races from outside this Commonwealth shall also comply with the Interstate Horse Racing Act of 1978 (15 U.S.C.A. §§ 3001—3007).

(b) Simulcasts of thoroughbred horse races by corporations holding licenses from the Commission may be permitted by the Commission in accordance with section 216 of the act (4 P. S. § 325.216) and upon other terms and conditions as the Commission may require.

(c) Simulcasts of harness races by corporations holding licenses from the State Harness Racing Commission may be permitted by the State Harness Racing Commission in accordance with section 216 of the act (4 P. S. § 325.216) and upon other terms and conditions as the State Harness Racing Commission may require.

(d) Cross-simulcasts of harness races by corporations holding licenses from the Commission and cross-simulcasts of thoroughbred races by corporations holding licenses from the State Harness Racing Commission will be permitted by the commission receiving the application under § 167.2 (relating to applications for permission to operate simulcasts) in accordance with section 216 of the act (4 P. S. § 325.216) and upon the following additional terms and conditions:

(1) A thoroughbred horse race for which a licensed corporation requests permission to operate a cross-simulcast shall have a purse of \$200,000 or more.

(2) A harness race for which a licensed corporation requests permission to operate a cross-simulcast shall have a purse of \$100,000 or more.

(3) A licensed corporation may operate only one cross-simulcast race per racing day, and the cross-simulcast shall be in addition to the normal racing card on that day.

(4) A licensed corporation will be permitted to operate a maximum of ten cross-simulcasts per calendar year without obtaining the consent required by paragraph (5).

(5) In the event a licensed corporation seeks permission to cross-simulcast more than ten races in a calendar year, permission will be granted for the 11th and succeeding cross-simulcast only if the corporation obtains the consent of the racing association licensed to conduct race meetings at the nearest race track in this Commonwealth at which the same type of race as the cross-

simulcast is conducted, if that association has a scheduled race meeting on the same day as the cross-simulcast will occur.

(6) A licensed corporation which requests permission to cross-simulcast at a race track located within 5 miles of another race track in this Commonwealth at which the same type of race as the cross-simulcast race is conducted shall be required to obtain the consent of the association licensed to conduct race meetings at the other track if that association has a scheduled race meeting on the same day as the cross-simulcast will occur.

**§ 167.4. Disposition of funds wagered on simulcasts and cross-simulcasts.**

Moneys wagered by patrons on simulcasts and cross-simulcasts shall be computed in the amount of money wagered each racing day for purposes of taxation under section 222 of the act (4 P. S. § 325.222).

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