

CHAPTER 186. SIMULCASTING

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Authority

The provisions of this Chapter 186 issued under the Race Horse Industry Reform Act (4 P. S. §§ 325.101—325.402), unless otherwise noted.

Source

The provisions of this Chapter 186 adopted December 17, 1982, effective December 18, 1982, 12 Pa.B. 4288 and 13 Pa.B. 21, unless otherwise noted.

§ 186.1. Definitions.

The following words and terms, when used in this chapter, shall 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 any association licensed to race by the Commission or State Horse Racing Commission.

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

§ 186.2. Applications for permission to operate simulcasts.

(a) Any application for permission to operate a simulcast or cross-simulcast by a corporation licensed by the State Horse Racing Commission shall be submitted to the State Horse 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 Horse Racing Commission upon cause shown.

(b) Any 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.

Cross References

This section cited in 58 Pa. Code § 186.3 (relating to permitted simulcasts).

§ 186.3. Permitted simulcasts.

(a) The State Horse Racing Commission and the Commission each may, upon request by any 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. All forms of parimutuel wagering permitted under section 221 of the act (4 P. S. § 325.221) are allowed on races which are simulcast. All simulcasts of horse races from outside this Commonwealth shall also comply with the Interstate Horse Racing Act of 1978, Public Law 95-515, 92 Stat. 1811 (15 U.S.C.A. §§ 3001—3007).

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

(c) Simulcasts of harness 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 such other terms and conditions as the 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 Commission will be permitted by the Commission receiving the application under § 186.2 (relating to applications for permission to operate simulcasts) under 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 any succeeding cross-simulcast only if the corporation obtains the consent of the racing association licensed to conduct race meetings at the nearest 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 will 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.

§ 186.4. 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).

§ 186.5. Application form for simulcast—cross or similar.

(a) In addition to the requirements of the Interstate Horse Racing Act of 1978, Pub. L. 95-515, 92 Stat. 1811 (15 U.S.C.A. §§ 3001—3007) a licensed corporation shall submit an application to the Commission, containing the data requested and authenticated exhibits attached stating all of the following:

- (1) The name of applicant.
 - (2) The name, date and source of the event.
 - (3) The name, address, telephone number and specific person to be contacted at the host association having complete knowledge of the simulcast arrangements.
 - (4) A concise synopsis of the written agreement between the host association and its horsemen. A copy of the agreement shall be attached as Exhibit I.
 - (5) A copy of the host state racing commission's approval of the simulcast.
 - (6) A concise synopsis of the agreement between the applicant and the host racing association indicating the percentage or actual dollar amounts of consideration. A copy of the agreement shall be attached as Exhibit II.
 - (7) A concise synopsis of the agreement between the applicant and its horsemen's association indicating the percentage or actual dollar amounts of consideration. A copy of the agreement shall be attached as Exhibit III.
 - (8) A concise synopsis of the method to be used to bring in and display the simulcast at the applicant's facility. In the event another party is operating the video equipment, that contract shall be concisely summarized and a copy shall be attached as Exhibit IV.
 - (9) A concise statement concerning the types of wagering that are to be permitted on the simulcast.
 - (10) A complete statement concerning the method of promotion to be used.
- (b) The application shall be signed and verified as true, complete and accurate by the president of the applicant and another person having charge of the simulcast program.

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