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HOUSE BILL NO. 1491**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on General Laws

on January 31, 1996)

(Patron Prior to Substitute—Delegate May)

A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 29 of Title 59.1 a section numbered 59.1-378.1, relating to granting of certain licenses by the Virginia Racing Commission.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 29 of Title 59.1 a section numbered 59.1-378.1 as follows:

§ 59.1-378.1. Licensing of owners or operators of certain pari-mutuel facilities.

A. Notwithstanding the provisions of § 59.1-391, the Commission may grant a license, for a duration to be determined by the Commission, to the owner or operator of a steeplechase facility for the purpose of conducting pari-mutuel wagering at steeplechase race meetings for a period not to exceed fourteen days in any calendar year, provided that, prior to making application for such license, (i) the steeplechase facility has been sanctioned by the National Steeplechase Association and (ii) the owner or operator of such facility has been granted tax-exempt status under § 501 (c) (3) of the Internal Revenue Code. For purposes of this section, "steeplechase facility" means a turf racecourse constructed over natural ground which is utilized primarily for races where horses jump over fences.

B. In deciding whether to grant any license pursuant to this section, the Commission shall consider (i) the results of, circumstances surrounding, and issues involved in any referendum conducted under the provisions of § 59.1-391 and (ii) whether the Commission had previously granted a license to such facility, owner, or operator.

C. In no event shall the Commission issue more than twelve licenses in a calendar year pursuant to this section.