

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-365 of the Code of Virginia, relating to the Virginia Racing*
3 *Commission; definitions.*

4 [H 634]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 59.1-365 of the Code of Virginia is amended and reenacted as follows:**8 **§ 59.1-365. Definitions.**

9 Unless another meaning is required by the context, the following words shall have the meanings
10 prescribed by this section:

11 "Breakage" means the odd cents by which the amount payable on each dollar wagered exceeds a
12 multiple of ten cents.

13 "Commission" means the Virginia Racing Commission.

14 "Drug" shall have the meaning prescribed by § 54.1-3401. The Commission shall by regulation
15 define and designate those drugs the use of which is prohibited or restricted.

16 "Enclosure" means all areas of the property of a track to which admission can be obtained only by
17 payment of an admission fee or upon presentation of authorized credentials, and any additional areas
18 designated by the Commission.

19 "Horse racing" means a competition on a set course involving a race between horses on which
20 pari-mutuel wagering is permitted.

21 "Licensee" includes any person holding an owner's, operator's or limited license under §§ 59.1-375
22 through 59.1-386 of this chapter. The licensee under a limited license shall not be deemed an owner for
23 the purposes of owning or operating a satellite facility.

24 "Member" includes any person designated a member of a nonstock corporation, and any person who
25 by means of a pecuniary or other interest in such corporation exercises the power of a member.

26 "Pari-mutuel wagering" means the system of wagering on horse races in which those who wager on
27 horses that finish in the position or positions for which wagers are taken share in the total amounts
28 wagered, less deductions required or permitted by law and includes pari-mutuel wagering on simulcast
29 horse racing originating within the Commonwealth or from any other jurisdiction.

30 "Permit holder" includes any person holding a permit to participate in any horse racing subject to the
31 jurisdiction of the Commission or in the conduct of a race meeting or pari-mutuel betting thereon as
32 provided in § 59.1-387.

33 "Person" includes a natural person, partnership, joint venture, association, or corporation.

34 "Pool" means the amount wagered during a race meeting or during a specified period thereof.

35 "Principal stockholder" means any person who individually or in concert with his spouse and
36 immediate family members, owns or controls, directly or indirectly, five percent or more of the stock of
37 any person which is a licensee, or who in concert with his spouse and immediate family members, has
38 the power to vote or cause the vote of five percent or more of any such stock.

39 "Race meeting" means the whole consecutive period of time during which horse racing with
40 pari-mutuel wagering is conducted by a licensee.

41 "Satellite facility" means all areas of the property at which simulcast horse racing is received for the
42 purposes of pari-mutuel wagering, and any additional areas designated by the Commission.

43 "Simulcast horse racing" means the simultaneous transmission of the audio or video portion, or both,
44 of horse races from a licensed horse racetrack or satellite facility to another licensed horse racetrack or
45 satellite facility, regardless of state of licensure, whether such races originate within the Commonwealth
46 or any other jurisdiction by satellite communication devices, television cables, telephone lines, or any
47 other means for the purposes of conducting pari-mutuel wagering.

48 "Steward" means a racing official, duly appointed by the Commission, with powers and duties
49 prescribed by Commission regulations.

50 "Stock" includes all classes of stock of an applicant or licensee corporation, and any debt or other
51 obligation of such corporation or stockholder thereof or stock of an affiliated corporation if the
52 Commission finds that the holder of such obligation or stock derives therefrom such control of or voice
53 in the operation of the applicant or licensee corporation that he should be deemed a stockholder.

54 "Virginia Breeders Fund" means the fund established to foster the industry of breeding race horses in
55 the Commonwealth of Virginia.

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