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**HOUSE BILL NO. 402**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on General Laws  
on February 6, 2014)

(Patron Prior to Substitute—Delegate Webert)

*A BILL to amend and reenact § 59.1-378.1 of the Code of Virginia, relating to the Virginia Racing Commission; simulcast of certain horse races.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 59.1-378.1 of the Code of Virginia is amended and reenacted 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 on (i) steeplechase race meetings and (ii) simulcast horse racing that is limited to the transmission from Churchill Downs of the Kentucky Derby horse race at that facility in conjunction with the steeplechase race meetings for a period not to exceed ~~fourteen~~ 14 days in any calendar year, provided that, prior to making application for such license, (i) (a) the steeplechase facility has been sanctioned by the Virginia Steeplechase Association or National Steeplechase Association and (ii) (b) the owner or operator of such facility has been granted tax-exempt status under § 501 (c) (3) or (4) 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~~ 12 licenses in a calendar year pursuant to this section.