

SB 147-FN - AS INTRODUCED

2025 SESSION

25-1123

02/11

SENATE BILL ***147-FN***

AN ACT relative to licenses to sell pari-mutuel pools on simulcast horse races.

SPONSORS: Sen. Lang, Dist 2; Sen. Murphy, Dist 16; Sen. Innis, Dist 7; Sen. Pearl, Dist 17;
Sen. Gannon, Dist 23

COMMITTEE: Ways and Means

ANALYSIS

This bill expands simulcast horse race betting to all charitable gaming facilities.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to licenses to sell pari-mutuel pools on simulcast horse races.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Lottery and Horse Racing. Amend the title of chapter 284 to read as follows:

2 **LOTTERY AND HORSE RACING**

3 2 License. Amend the introductory paragraph of RSA 284:15, I to read as follows:

4 I. Any person, association, or corporation desiring to hold [~~or simuleast~~] a running or
5 harness horse race or meet for public exhibition, at or for which pari-mutuel pools are to be sold,
6 shall apply to said lottery commission for a license to do so. The application shall be signed and
7 sworn to by the person or executive officer of the association or corporation and shall contain the
8 following information:

9 3 New Paragraph; License. Amend RSA 284:15 by inserting after paragraph III the following
10 new paragraph:

11 IV. Any person, association, or corporation desiring to sell pari-mutuel pools on a simulcast
12 running or harness horse race shall apply to the lottery commission for a license to do so in
13 accordance with RSA 284:22-a.

14 4 Disclosure of Information; Expenses of Investigations. Amend the introductory paragraph of
15 RSA 284:15-b, I to read as follows:

16 I. Any person, association, corporation, or any other type of entity applying for or holding a
17 license issued pursuant to [~~the provisions of this chapter~~] **RSA 284:15, I** shall file annually, not later
18 than December 31, with the attorney general a complete and detailed written statement, signed
19 under oath, by the applicant or holder of such license, if an individual, or by the officers of the
20 applicant or holder, if a corporation or an association, containing the following information:

21 5 Issuance of Licenses. Amend RSA 284:16 to read as follows:

22 284:16 Issuance of Licenses. If the lottery commission is satisfied that all the provisions hereof
23 and the rules and regulations prescribed have been and will be complied with by the applicant and
24 that the financial backing upon which said application is predicated is sound and is committed in
25 support of said application, it may issue a license which shall expire on the thirty-first day of
26 December. The license shall set forth the name of the licensee, the place where the races or race
27 meets [~~or simuleastings~~] are to be held, and the time and number of days during which racing [~~or~~
28 ~~simuleasting~~] may be conducted by said licensee. Any license issued shall not be transferable nor
29 assignable. Said lottery commission shall have power to revoke any license for good cause upon
30 reasonable notice and hearing. The lottery commission may at any time for cause require the
31 removal of any employee or official employed by any licensee hereunder. The license of any

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1 corporation shall automatically cease upon the change in ownership, legal or equitable, of 50 percent
2 or more of the voting stock of the corporation and the corporation shall not hold a running or harness
3 horse race or meet for public exhibition without a new license.

4 6 Pari-Mutuel Pools on Simulcast Racing. RSA 284:22-a is repealed and reenacted to read as
5 follows:

6 284:22-a Pari-Mutuel Pools on Simulcast Racing.

7 I. In this section:

8 (a) "Licensee" means an entity that has been granted a license by the lottery commission
9 to sell pari-mutuel wagers on simulcast races under this section.

10 (b) "Simulcast" means a licensee's receipt of the transmission of races conducted at a
11 racetrack outside the state of New Hampshire and which races are exhibited simultaneously at the
12 licensee's facility by television or other means of electronic reproduction with the conduct of such
13 races at the point of origin and on which races the licensee sells pari-mutuel pools.

14 (c) "Totalizator system" means a computer system used to pool wagers, record sales,
15 calculate payoffs and display wagering data on a display device that is located at a licensee's facility.

16 II. In order to be eligible for a license to sell pari-mutuel pools on simulcast races, an
17 applicant shall have been either:

18 (a) A game operator employer licensed under RSA 287-D as of May 1, 2020, and still
19 licensed as of the effective date of this section. For licensees qualified under this subparagraph, the
20 sale of pari-mutuel pools on simulcast horse races must take place within the enclosure of a facility
21 at which the licensee holds its licensed gaming activities under RSA 287-D, and that such facility is
22 located within the city or town in which the licensee held its license on May 1, 2020; or

23 (b) An entity that applied for a game operator employer license between January 1,
24 2023, and October 15, 2023, provided that the applicant entity has the same ownership and officers
25 as the time of their initial application. For licensees that are qualified under this subparagraph, the
26 sale of pari-mutuel pools on simulcast horse races must take place within the enclosure of a facility
27 at which the applicant entity holds its licensed gaming activities under RSA 287-D, and that such
28 facility is located within the city or town identified on the original application filed with the lottery
29 commission within the time frame identified under this subparagraph.

30 III. A licensee may sell pari-mutuel pools on simulcast horse races, provided:

31 (a) Such sales are within the enclosure of the facility at which the licensee holds a
32 license under RSA 287-D;

33 (b) All simulcasts of horse races comply with the provisions of the Interstate Horseracing
34 Act of 1978, Public Law 95-515, 15 U.S.C. section 3001 et seq., and the laws of each state involved;

35 (c) Wagers are made on races which are exhibited by television or other electronic
36 reproduction at licensee's facility simultaneously with the conduct of each such race at its point of

1 origin with the agreement or approval of the racetrack which provides the transmission of the races
2 to be simulcast and the racetrack which conducts the races to be simulcast; and

3 (d) The commission shall be in the amount established by the law of the state in which
4 the race to be simulcast is actually conducted, provided, however, the licensee shall pay the tax as
5 provided under RSA 284:23.

6 IV. Racing officials, as defined in the rules adopted by the lottery commission, any employee
7 or owner of the entity which provides the totalizator system to the licensee, and any person
8 responsible for the operation of the electronic reproduction equipment which receives the simulcast
9 shall be prohibited from participating in wagering, directly or indirectly, on simulcast races shown at
10 the licensee's facility.

11 V. The lottery commission shall adopt rules under RSA 541-A governing the licensing,
12 enforcement, and conducting of simulcast horse racing.

13 VI. An application that is approved by the lottery commission, and a license that is granted
14 shall not be permitted to be transferred or sold.

15 7 Payment. Amend RSA 284:24 to read as follows:

16 284:24 Payment. Payments made under RSA 284:23 shall be made ~~[no later than 3 calendar~~
17 ~~days after each racing day]~~ ***in a time and manner prescribed by the lottery commission.***
18 Failure to make payments in the time prescribed shall subject the licensee to a civil forfeiture of \$50
19 for each day the payments are overdue.

20 8 License Required; Investigation Fees. Amend RSA 284:12-a, II to read as follows:

21 II. Investigation fees shall be collected by the lottery commission and shall be continually
22 appropriated to the lottery commission and used by the lottery commission to offset the costs of
23 conducting background checks and monitoring of license applicants and licensees as required under
24 this section, RSA 284:16, ~~[RSA 284:16-a]~~ RSA 284:19, RSA 284:20, RSA 284:22, and RSA 284:22-a.
25 Funds received hereunder and not expended for such investigations shall lapse to the special fund
26 established in RSA 284:21-j 2 years after receipt of such funds.

27 9 Repeal. The following are repealed:

28 I. RSA 284:15-a, IV and VI, relative to requirements for license to simulcast dog racing.

29 II. RSA 284:16-a, relative to issuance of licenses.

30 III. RSA 284:16-c, relative to license restricted.

31 10 Effective Date.

32 I. Section 1 of this act shall take effect January 2, 2027.

33 II. The remainder of this act shall take effect January 1, 2026.

SB 147-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to licenses to sell pari-mutuel pools on simulcast horse races.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	Up to \$50,000	Up to \$100,000	Up to \$100,000
<i>Revenue Fund(s)</i>	Lottery Fund/Education Trust Fund - Lottery revenue is credited to the lottery fund, with net revenues after expenditures being credited to the state education trust fund.			
Expenditures*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

The Lottery Commission states this bill would:

- Change where parimutuel wager on simulcast horse races can be sold from licensed racetracks, to either:
 - Game operator employers licensed as of May 1, 2020, and still licensed as of the effective date of the proposed bill; or
 - Entities that applied for a game operator employer license between January 1, 2023, and October 15, 2023.

The Lottery Commission has provided the following information:

- Under current law, only two (2) locations are eligible for a license to offer simulcast wagering. Of these, only one (1) currently holds a license.
- Under this bill, 15 game rooms that would be eligible for a license to offer simulcast wagering, including the two (2) locations currently eligible to offer simulcast wagering.
- The cost associated with agreements between the track where the races occur and the facility where the races are simulcast may be cost prohibitive for smaller venues.
- As demonstrated in the table below, revenue from simulcast racing has been on the decline in recent years. This decline is expected to continue for the foreseeable future.

Fiscal Year State Revenue

FY 2024	\$564K
FY 2023	\$640K
FY 2022	\$670K
FY 2021	\$704K

For estimating this bill's potential fiscal impact, the Lottery Commission has provided the following:

- The location that currently holds a simulcast license will seek a license to continue to offer simulcast wagering under the proposed legislation.
- Up to three (3) additional game rooms will seek a license to offer simulcast wagering.
- Revenue from simulcast wagering will continue to decline. Increasing the number of locations where simulcast wagering is offered may slow or possibly stay this decline; however, it is not expected to revive simulcast wagering in New Hampshire.
- Offering simulcast wagering in more locations will give players more options on where to place their bets but is not expected to result in any significant increases in the number of players that place wagers, or the overall amount wagered on simulcast racing.

Based on the information and assumptions above, the Lottery Commission states this bill would increase state revenue by less than \$50,000 in FY 2026 (based on half-year impact in year one) and less than \$100,000 in FY 2027 and each year thereafter.

AGENCIES CONTACTED:

Lottery Commission