

1989 Senate Bill 471

Date of enactment: April 23, 1990

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# 1989 WISCONSIN ACT 314

AN ACT to amend 562.065 (3) (b) 2, 562.065 (3) (c) 1. (intro.) and 2. (intro.), 562.065 (3) (d) 1 and (e) (intro.) and (3m) (c) 2 and 562.065 (4); and to create 562.01 (3m) and 562.065 (3r) of the statutes, relating to: the period within which winnings on a race on which pari-mutuel wagering is conducted must be claimed and within which pari-mutuel taxes and certain other payments must be paid.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 562.01 (3m) of the statutes is created to read:

562.01 (3m) "Business day" means a business day, as defined in s. 421.301 (6), that is not a legal holiday under s. 895.20 or a federal legal holiday.

**SECTION 2.** 562.065 (3) (b) 2. of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

562.065 (3) (b) 2. For dog races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 4.5% of the total amount wagered on each race day for purses. Purses shall be paid ~~no less frequently than on a weekly basis on or before Thursday of the calendar week immediately following the race day on which the purses are won.~~ The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purse directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.

**SECTION 3.** 562.065 (3) (c) 1. (intro.) and 2. (intro.) of the statutes are amended to read:

562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board, ~~no later than 48 hours after the close of that race day,~~ the following amounts:

2. (intro.) For dog races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board, ~~no later than 48 hours after the close of that race day,~~ the following amounts:

**SECTION 4.** 562.065 (3) (d) 1. and (e) (intro.) and (3m) (c) 2. of the statutes are amended to read:

562.065 (3) (d) 1. From the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the board, ~~no later than 48 hours after the close of that race day,~~ an amount equal to 0.75% of the total amount wagered on that race day.

(e) (intro.) *Breakage.* A licensee under s. 562.05 (1) (b) shall pay deposit with the board an amount equal to 50% of the breakage for each race day to the board no later than 48 hours after the close of the race day. The moneys received under this paragraph shall be deposited as follows:

(3m) (c) 2. The licensee may retain 50% of the amount of the deduction under par. (a) remaining after the payment of purses under par. (b), and the payment of the licensee's cost under subd. 1. ~~No later than 48 hours after the close of the race day, the~~ The licensee shall deposit the remaining 50% of that amount with the board. The board shall deposit moneys received under this subdivision in the appropriation under s. 20.192 (2) (i).

**SECTION 5.** 562.065 (3r) of the statutes is created to read:

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562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the deposits required under subs. (3) (c) 1. (intro.) and 2. (intro.), (d) 1. and (e) (intro.) and (3m) (c) 2. no later than 48 hours after the close of the race day or, if the 48-hour period does not include a business day, on the first business day immediately following the close of the race day.

**SECTION 6.** 562.065 (4) of the statutes is amended to

read:

562.065 (4) UNCLAIMED PRIZES. Any winnings on a race which are not claimed within 90 days after the close of the race day during which the race occurred end of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the board. The board shall deposit moneys received under this subsection in the appropriation under s. 20.192 (1) (g).