

CHAPTER 163

AN ACT authorizing special horse racing permits for beach racing, and wagering thereon, and supplementing chapter 5 of Title 5 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.5:5-38.1 Special permit for horse racing on the beach under certain circumstances.

1. a. Notwithstanding the provisions of section 1 of P.L.1949, c.26 (C.5:5-39.1) or any other law to the contrary, the commission may grant a special permit, to a permit holder in good standing authorized to conduct running races in this State, for the holding or conducting of a special running race meeting on a beach in an area that extends landward from the mean high water line of the ocean to either the vegetation line or a man-made feature generally parallel to the ocean, such as a retaining structure, seawall, bulkhead, road, or boardwalk. A special permit granted pursuant to this subsection shall be subject to the jurisdiction of the commission.

b. The commission may grant only one special permit pursuant to subsection a. of this section per calendar year, which shall be valid only for the calendar year in which it is issued. Any running race permit holder in good standing may apply for the special permit. The number of racing days authorized pursuant to the special permit shall not exceed two days in a calendar year. Any racing day that is run pursuant to the special permit shall count toward the total number of racing days allotted to the running race permit holder.

c. A permit holder that is granted a special permit pursuant to this section shall keep and maintain separate books and records for the special running race meeting to the same extent as is required of a permit holder and shall file such report and audits as may otherwise be required on or before such date as the commission may designate.

d. Sums in the parimutuel pools shall be distributed as if the special running race meeting is held at the location for which the special permit holder holds a running race permit, as provided in chapter 5 of Title 5 of the Revised Statutes.

e. No running race permit holder may be granted a special permit pursuant to subsection a. of this section to hold or conduct a special running race meeting on a beach located within twenty-five miles of any racetrack authorized to conduct running races unless the permit holder authorized to conduct running races at that racetrack consents in writing to the special running race meeting.

f. Notwithstanding the provisions of any other law to the contrary, simulcasting of a special running race meeting authorized by this section shall be conducted as if the special running race meeting is held at the location for which the special permit holder holds a running race permit, except that the special permit holder may also transmit the simulcast signal to the racetrack for which the special permit holder holds a running race permit. The simulcasting within this State of a special running race meeting authorized by this section shall not require the consent of any horsemen's organization and shall be made available at the industry standard rate. Upon application to and approval by the commission, the holder of a special permit granted pursuant to subsection a. of this section may transmit simulcast horse races of the special running race meeting to any facility outside of New Jersey with which the special permit holder has entered into an agreement.

g. Nothing in this section shall be construed to prohibit the commission from granting a special permit pursuant to subsection a. of this section to a running race permit holder that holds a special permit pursuant to subsection a. of section 2 of P.L. , c. (C.) (pending before the Legislature as this bill).

2. This act shall take effect immediately.

Approved September 18, 2013.