



House of Representatives

General Assembly

File No. 17

February Session, 2022

House Bill No. 5174

House of Representatives, March 15, 2022

The Committee on Public Safety and Security reported through REP. HORN of the 64th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROHIBITING THE OPERATION OF GREYHOUND RACING IN THE STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (i) to (s), inclusive, of section 12-574 of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2022*):

4 (i) The commissioner shall adopt regulations governing the operation
5 of the off-track betting system and facilities, tracks, stables [, kennels]
6 and frontons, including the regulation of betting in connection
7 therewith, to insure the integrity and security of the conduct of meetings
8 and the broadcast of racing events held pursuant to this chapter. Such
9 regulations shall include provision for the imposition of fines and
10 suspension of licenses for violations thereof. [Prior to the adoption of
11 any regulations concerning the treatment of animals at any dog race
12 track, the commissioner shall notify the National Greyhound
13 Association of the contents of such regulations and of its right to request
14 a hearing pursuant to chapter 54.] The commissioner shall have the

15 authority to impose a fine of up to (1) seventy-five thousand dollars for
16 any violation of such regulations by a licensee authorized to conduct a
17 meeting or operate the off-track betting system under this section; (2)
18 five thousand dollars for any violation of such regulations by a business
19 organization licensed as an affiliate licensee authorized to exercise
20 control over an association; and (3) two thousand five hundred dollars
21 for any such violation by any other licensee licensed by the
22 commissioner. The stewards or judges of a meeting acting in accordance
23 with such regulations shall have the authority to impose a fine of up to
24 five hundred dollars for any such violation by such licensee, and the
25 players' manager of a jai alai exhibition acting in accordance with such
26 regulations shall have the authority to recommend to the judges that a
27 fine should be considered for a player who may have violated such
28 regulations. The commissioner may delegate to the stewards and judges
29 of a meeting the power to suspend the license of any occupational
30 licensee employed in this state by an association licensee for a period
31 not to exceed sixty days for any violation of such regulations. If any
32 license is suspended, such stewards and judges of a meeting shall state
33 the reasons therefor in writing. All fines imposed pursuant to this
34 section shall be paid over to the General Fund upon receipt by the
35 department. Any person or business organization fined or suspended
36 pursuant to this section shall have a right of appeal to the commissioner
37 for a hearing that shall be conducted pursuant to chapter 54. Any person
38 or business organization aggrieved by a decision of the commissioner
39 following such a hearing shall have a right of appeal pursuant to section
40 4-183.

41 (j) The commissioner [shall have the power to] may require that the
42 books and records of any licensee, other than an occupational licensee,
43 [shall] be maintained in any manner which [he] the commissioner may
44 deem best, and that any financial or other statements based on such
45 books and records [shall] be prepared in accordance with generally
46 accepted accounting principles in such form as [he] the commissioner
47 shall prescribe. The commissioner or [his] the commissioner's designee
48 shall also be authorized to visit, to investigate and to place expert
49 accountants and such other persons as [he] the commissioner may deem

50 necessary, in the offices, tracks, frontons, off-track betting facilities or
51 places of business of any such licensee, for the purpose of satisfying
52 himself or herself that the department's regulations are strictly complied
53 with.

54 (k) The commissioner may at any time for good cause require the
55 removal of any employee or official employed by any licensee
56 [hereunder] under this section.

57 (l) The commissioner may, on his or her own motion or upon
58 application, exempt any person or business organization from the
59 licensing requirements of this chapter or some or all of the disclosure
60 requirements of chapter 226b, provided the applicant does not exercise
61 control in or over an integral part of any activity which is authorized
62 under this chapter. The burden of proving that an exemption should be
63 granted rests solely with the applicant. The commissioner may limit or
64 condition the terms of an exemption and such determination shall be
65 final.

66 (m) Any person aiding or abetting in the operation of an off-track
67 betting system or the conduct of any meeting within this state at which
68 racing or the exhibition of the game of jai alai shall be permitted for any
69 stake, purse or reward, except in accordance with a license duly issued
70 and unsuspended or unrevoked by the commissioner, shall be guilty of
71 a class A misdemeanor.

72 (n) The majority of the membership of the board of directors of any
73 corporation licensed to operate the off-track betting system or to hold or
74 conduct any meeting within the state of Connecticut at which racing or
75 the exhibition of the game of jai alai shall be permitted for any stake,
76 purse or reward, shall be residents of the state of Connecticut.

77 (o) Any license granted under this section, other than an association
78 license authorizing the licensee to conduct a meeting or operate the off-
79 track betting system, as described in subsection (a) of this section, or an
80 affiliate license authorizing the licensee to exercise control in or over an
81 association licensee, as described in subsection (e) of this section, shall

82 be effective for not more than one year from the date of issuance. Initial
83 application for and renewal of any license shall be in such form and
84 manner as the commissioner shall prescribe by regulation.

85 [(p) Any person or business organization issued a license to conduct
86 dog racing shall establish a pet adoption program for the proper
87 housing and care of retired greyhounds and shall provide financial
88 support for such program and any facility operated to implement such
89 program.

90 (q) Any person or business organization issued a license to conduct
91 dog racing pursuant to subsection (c) of section 12-574c shall employ
92 persons who, at the time of employment, are recipients of assistance
93 under the state-administered general assistance program, state
94 supplement program, medical assistance program, temporary family
95 assistance program or supplemental nutrition assistance program to fill
96 not less than twenty per cent of the positions created by the conversion
97 of a jai alai fronton to a dog race track if such persons have been trained
98 for such employment by public or publicly funded agencies in
99 coordination with such licensee.

100 (r) Any person or business organization issued a license to conduct
101 dog racing pursuant to subsection (c) of section 12-574c shall provide an
102 on-site child care center, as described in section 19a-77, for use by
103 employees of the dog race track. Such licensee shall employ persons
104 who, at the time of employment, are recipients of aid under chapter 302
105 or 308 to fill not less than fifty per cent of the positions at such child care
106 center if such persons have been trained for such employment by public
107 or publicly funded agencies in coordination with such licensee.

108 (s) Notwithstanding any other provisions of this chapter to the
109 contrary, any person or business organization issued a license to
110 conduct dog racing may operate on a year-round basis and may conduct
111 such number of performances as it may elect, provided the total number
112 of such performances does not exceed five hundred eighty
113 performances in any calendar year.]

114 Sec. 2. Section 12-574c of the general statutes is repealed and the
115 following is substituted in lieu thereof (*Effective October 1, 2022*):

116 (a) The Department of Consumer Protection shall not issue a license
117 authorizing any person, firm, corporation or association to conduct
118 horse racing [, dog racing] or jai alai events.

119 (b) Notwithstanding the provisions of subsection (a) of this section,
120 the department may renew any license issued prior to May 23, 1979, to
121 conduct horse racing or jai alai events or issue such a license to a
122 currently operating facility.

123 [(c) Notwithstanding the provisions of subsection (a) of this section,
124 the department may, on or after July 5, 1991, issue one additional license
125 authorizing a person or business organization to conduct dog racing to
126 a person or business organization holding a license to conduct jai alai
127 events or to the successor of such business organization upon the
128 surrender of the license to conduct jai alai events.]

129 [(d)] (c) No licensee shall move any horse race track [, dog race track]
130 or jai alai fronton to any municipality other than the municipality in
131 which such facility was located on July 5, 1991.

132 Sec. 3. Section 12-574a of the general statutes is repealed and the
133 following is substituted in lieu thereof (*Effective October 1, 2022*):

134 (a) Whenever a person or business organization files an application
135 with the department for a license to conduct an activity regulated by
136 section 12-574, as amended by this act, exclusive of renewal license
137 applications, the department shall forward within five days to the town
138 clerk of the town within which such activity is proposed to be carried
139 on a statement specifying the prospective applicant, the proposed
140 activity, the site on which such activity is proposed to be conducted and
141 the fact that an application has been filed with the department. Within
142 ten days after such statement has been filed, such town clerk shall cause
143 notice of such filing to be published in a newspaper having a circulation
144 in the town wherein the activity is to be conducted. The question of the

145 approval of the conducting of such activity shall be submitted to the
146 electors of such town at a special election called for the purpose to be
147 held not less than thirty nor more than sixty days after such publication,
148 in conformity with the provisions of section 9-369, or at a regular town
149 election if such election is to be held more than sixty but not more than
150 one hundred twenty days after such publication, such question shall be
151 so submitted and the vote shall be taken in the manner prescribed by
152 said section 9-369. The town clerk shall notify the department of the
153 results of such election. The disapproval of the conducting of such
154 activity by a majority of those voting on the question shall be a bar to
155 the granting of a license to such applicant to conduct such activity at
156 such location. All costs incurred by a municipality in connection with
157 such referendum shall be paid to said municipality by the person or
158 business organization filing such application for such license. The
159 provisions of this subsection shall not apply to any licensee authorized
160 to operate the off-track betting system with respect to any off-track
161 betting facility approved prior to June 25, 1993.

162 (b) No licensee may conduct any horse racing or jai alai event on any
163 Sunday without the prior approval of the legislative body of the town
164 in which the event is scheduled to take place.

165 (c) No licensee authorized to operate the off-track betting system may
166 conduct any off-track pari-mutuel wagering on any racing program on
167 any Sunday without the prior approval of the legislative body of the
168 town in which such off-track betting facility is located.

169 [(d) Notwithstanding the provisions of subsection (a) of this section,
170 the prior approval of the legislative body only of the town shall be
171 required in the event the department issues a license pursuant to
172 subsection (c) of section 12-574c.]

173 Sec. 4. Section 12-575 of the general statutes is repealed and the
174 following is substituted in lieu thereof (*Effective October 1, 2022*):

175 (a) The department may permit at racing events, exhibitions of the
176 game of jai alai licensed under the provisions of this chapter or at off-

177 track betting facilities, betting under a pari-mutuel system, so called,
178 including standard pari-mutuel, daily double, exacta, quinella, trifecta,
179 superfecta, twin trifecta, pick four and pick six betting, and such other
180 forms of multiple betting as the department may determine.

181 (b) The pari-mutuel system, so called, shall not be used or permitted
182 at any location other than the race track at which the racing event is
183 licensed to be conducted or the fronton at which the game of jai alai is
184 licensed to be played or at an off-track betting facility operated by the
185 department or by a licensee authorized to operate the off-track betting
186 system. A computerized electronic totalizator system, approved by the
187 commissioner, shall be used to conduct pari-mutuel wagering at each
188 racing or jai alai event. A computerized electronic totalizator system
189 approved by the commissioner and, where authorized by subsection (b)
190 of section 12-571a, and approved by the commissioner, a simulcast
191 system shall be used to conduct pari-mutuel wagering and simulcasting
192 of off-track betting race programs at off-track betting facilities. The
193 commissioner may require any licensee to submit information
194 concerning the daily operation of such totalizator or simulcast system
195 which [he] the commissioner deems necessary for the effective
196 administration of this chapter, including records of all wagering
197 transactions, in such form and manner as [he shall prescribe] the
198 commissioner prescribes.

199 (c) (1) Except as provided in subdivision (2) of this subsection, each
200 licensee conducting horse racing events under the pari-mutuel system
201 shall distribute all sums deposited in any pari-mutuel program to the
202 holders of winning tickets therein, less seventeen per cent of the total
203 deposits plus the breakage to the dime of the amount so retained [;] and
204 each licensee conducting jai alai events shall distribute all sums
205 deposited in any pari-mutuel program to the holders of winning tickets
206 therein, less a maximum of eighteen per cent of the deposits in the win,
207 place or show pools and less a maximum of twenty-three per cent of the
208 deposits in all other pools plus the breakage to the dime of the amount
209 so retained. [; each licensee conducting dog racing events shall
210 distribute all sums deposited in any pari-mutuel program to the holders

211 of winning tickets therein, less a maximum of nineteen per cent of the
 212 deposits in the win, place or show pools and less a maximum of twenty-
 213 seven per cent of the deposits in all other pools plus the breakage to the
 214 dime of the amount so retained, or, shall distribute all sums deposited
 215 in all of its pari-mutuel programs conducted on any day to the holders
 216 of winning tickets therein less twenty per cent of the total deposits plus
 217 the breakage to the dime of the amount so retained, provided on and
 218 after July 1, 1992, each licensee conducting dog racing events on July 5,
 219 1991, shall allocate four per cent of all sums deposited in any pari-
 220 mutuel program to purses, one-quarter of one per cent to capital
 221 expenditures for alterations, additions, replacement changes,
 222 improvements or major repairs to or upon the property owned or leased
 223 by any such licensee and used for such racing events, and one-quarter
 224 of one per cent to promotional marketing, to reduce the costs of
 225 admission, programs, parking and concessions and to offer
 226 entertainment and giveaways. Each licensee conducting dog racing
 227 events shall, on an annual basis, submit to the department certified
 228 financial statements verifying the use of such allocations for purses,
 229 capital improvements and promotional marketing.]

230 (2) Each licensee conducting horse racing or jai alai events may carry
 231 over all or a portion of the sums deposited in any pari-mutuel program,
 232 less the amount retained as herein provided, in the twin trifecta, pick
 233 four or pick six pari-mutuel pool to another pool, including a pool in a
 234 succeeding performance.

235 (d) Each licensee conducting horse racing events under the pari-
 236 mutuel system shall pay to the state, and there is hereby imposed: (1) A
 237 tax on the total money wagered in the pari-mutuel pool on each and
 238 every day the licensee conducts racing events, pursuant to the following
 239 schedule:

T1	Total Wagered	Tax
T2	0 to \$100,001	3.25% on the entire pool
T3	\$100,001 to \$200,001	3.75% on the entire pool

T4	\$200,001 to \$300,001	4.25% on the entire pool
T5	\$300,001 to \$400,001	4.75% on the entire pool
T6	\$400,001 to \$500,001	5.25% on the entire pool
T7	\$500,001 to \$600,001	5.75% on the entire pool
T8	\$600,001 to \$700,001	6.25% on the entire pool
T9	\$700,001 to \$800,001	6.75% on the entire pool
T10	\$800,001 to \$900,001	7.25% on the entire pool
T11	\$900,001 to \$1,000,001	7.75% on the entire pool
T12	\$1,000,001 and over	8.75% on the entire pool

240 and (2) a tax equal to one-half of the breakage to the dime resulting from
 241 such wagering. The commissioner shall by regulation adopted in
 242 accordance with the provisions of chapter 54 designate the percentage
 243 of the difference between the seventeen per cent specified in subsection
 244 (c) of this section and the tax specified in this subsection, which shall be
 245 allocated as prize or purse money for the horses racing at each facility.

246 [(e) Each licensee conducting dog racing events under the pari-
 247 mutuel system shall pay to the state, and there is hereby imposed: (1)
 248 (A) A tax at the rate of two per cent on the total money wagered in the
 249 pari-mutuel pool on each and every day the licensee conducts racing
 250 events or (B) on or after July 1, 1993, in the case of any licensee licensed
 251 prior to July 5, 1991, (i) a tax at the rate of two per cent on any amount
 252 up to and including fifty million dollars of the total money wagered in
 253 the pari-mutuel pool in any state fiscal year during which a licensee
 254 licensed prior to July 5, 1991, conducts racing events, (ii) a tax at the rate
 255 of three per cent on any amount in excess of fifty million dollars and up
 256 to and including eighty million dollars of the total money wagered in
 257 the pari-mutuel pool in any state fiscal year during which a licensee
 258 licensed prior to July 5, 1991, conducts racing events, and (iii) a tax at
 259 the rate of four per cent on any amount in excess of eighty million
 260 dollars of the total money wagered in the pari-mutuel pool in any state
 261 fiscal year during which a licensee licensed prior to July 5, 1991,
 262 conducts racing events, and (2) a tax equal to one-half of the breakage
 263 to the dime resulting from such wagering.]

264 [(f)] (e) Each licensee operating a fronton at which the game of jai alai
265 is licensed to be played under the pari-mutuel system shall pay to the
266 state and there is hereby imposed: (1) (A) A tax at the rate of two per
267 cent on any amount up to and including fifty million dollars of the total
268 money wagered on such games, (B) a tax at the rate of three per cent of
269 any amount in excess of fifty million dollars and up to and including
270 eighty million dollars of the total money wagered on such games, and
271 (C) a tax at the rate of four per cent on any amount in excess of eighty
272 million dollars of the total money wagered on such games, and (2) a tax
273 equal to one-half of the breakage to the dime resulting from such
274 wagering.

275 [(g)] (f) The licensee authorized to operate the system of off-track
276 betting under the pari-mutuel system shall pay to the state and there is
277 hereby imposed: (1) A tax at the rate of three and one-half per cent on
278 the total money wagered in the pari-mutuel pool on each and every day
279 the licensee broadcasts racing events, and (2) a tax equal to one-half of
280 the breakage to the dime resulting from such wagering.

281 [(h)] (g) The commissioner shall assess and collect the taxes imposed
282 by this chapter under such regulations as [he] the commissioner may
283 prescribe, in accordance with the provisions of chapter 54. All taxes
284 hereby imposed shall be due and payable by the close of the next
285 banking day after each day's racing or jai alai exhibition. If any such tax
286 is not paid when due, the commissioner shall impose a delinquency
287 assessment upon the licensee in the amount of ten per cent of such tax
288 or ten dollars, whichever amount is greater, plus interest at the rate of
289 one and one-half per cent of the unpaid principal of such tax for each
290 month or fraction of a month from the date such tax is due to the date of
291 payment. Subject to the provisions of section 12-3a, the commissioner
292 may waive all or part of the penalties provided under this subsection
293 when it is proven to [his] the commissioner's satisfaction that the failure
294 to pay such tax within the time required was due to reasonable cause
295 and was not intentional or due to neglect. Failure to pay any such
296 delinquent tax upon demand may be considered by the commissioner
297 as cause for revocation of license.

298 [(i)] (h) The commissioner shall devise a system of accounting and
299 shall supervise betting at such track, fronton or off-track betting facility
300 in such manner that the rights of the state are protected and shall collect
301 all fees and licenses under such regulations as [he] the commissioner
302 shall prescribe, in accordance with the provisions of chapter 54.

303 [(j)] (i) The amount of unclaimed moneys, as determined by the
304 commissioner, held by any licensee other than by licensees authorized
305 to operate a jai alai fronton [, dog race track] or the off-track betting
306 system on account of outstanding and uncashed winning tickets, shall
307 be due and payable to the commissioner, for deposit in the General Fund
308 of the state, at the expiration of one year after the close of the meeting
309 during which such tickets were issued. If any such unclaimed moneys
310 are not paid when due, the commissioner shall impose a delinquency
311 assessment upon the licensee in the amount of ten per cent of such
312 moneys or ten dollars, whichever amount is greater, plus interest at the
313 rate of one and one-half per cent of the unpaid principal of such moneys
314 for each month or fraction of a month from the date such moneys are
315 due to the date of payment. Subject to the provisions of section 12-3a,
316 the commissioner may waive all or part of the penalties provided under
317 this subsection when it is proven to [his] the commissioner's satisfaction
318 that the failure to pay such moneys to the state within the time required
319 was due to reasonable cause and was not intentional or due to neglect.

320 [(k)] (j) The commissioner may authorize deputies and the
321 Commissioner of Revenue Services or his or her agents are authorized
322 to enter upon the premises at any horse racing event, jai alai exhibition
323 or off-track betting race event for the purpose of inspecting books and
324 records, supervising and examining cashiers, ticket sellers, pool sellers
325 and other persons handling money at said event and such other
326 supervision as may be necessary for the maintenance of order at such
327 event.

328 [(l)] (k) (1) The commissioner shall pay each municipality in which a
329 horse race track is located, one-quarter of one per cent of the total money
330 wagered on horse racing events at such race track, except the

331 commissioner shall pay each such municipality having a population in
332 excess of fifty thousand one per cent of the total money wagered at such
333 horse racing events in such municipality. The commissioner shall pay
334 each municipality in which a jai alai fronton [or dog race track] is located
335 one-half of one per cent of the total money wagered on jai alai games [or
336 dog racing events] at such fronton, [or dog race track,] except the
337 commissioner shall pay each such municipality having a population in
338 excess of fifty thousand one per cent of the total money wagered on jai
339 alai games [or dog racing events] at such fronton [or dog race track]
340 located in such municipality. The commissioner shall pay each
341 municipality in which an off-track betting facility is located one and
342 three-fifths per cent of the total money wagered in such facility less
343 amounts paid as refunds or for cancellations. The commissioner shall
344 pay to both the city of New Haven and the town of Windsor Locks an
345 additional one-half of one per cent of the total money wagered less any
346 amount paid as a refund or a cancellation in any facility equipped with
347 screens for simulcasting after October 1, 1997, located within a fifteen-
348 mile radius of facilities in New Haven and Windsor Locks. Payment
349 shall be made not less than four times a year and not more than twelve
350 times a year as determined by the commissioner, and shall be made
351 from the tax imposed pursuant to subsection (d) of this section for horse
352 racing, subsection (e) of this section [for dog racing, subsection (f) of this
353 section] for jai alai games and subsection [(g)] (f) of this section for off-
354 track betting. (2) [If, for any calendar year after the surrender of a license
355 to conduct jai alai events by any person or business organization
356 pursuant to subsection (c) of section 12-574c and prior to the opening of
357 any dog race track by such person or business organization, any other
358 person or business organization licensed to conduct jai alai events is
359 authorized to conduct a number of performances greater than the
360 number authorized for such licensee in the previous calendar year, the
361 commissioner shall pay the municipality in which the jai alai fronton for
362 which such license was surrendered was located, rather than the
363 municipality in which the jai alai fronton conducting the increased
364 performances is located, one-half of one per cent of the total money
365 wagered on jai alai games for such increased performances at the

366 fronton which conducted the additional performances, except the
367 commissioner shall pay each such municipality having a population in
368 excess of fifty thousand one per cent of the total money wagered on jai
369 alai games for such increased performances at such fronton. (3) During
370 any state fiscal year ending on or after June 30, 1993, the commissioner
371 shall pay each municipality in which a dog race track was operating
372 prior to July 5, 1991, one per cent of the total money wagered on dog
373 racing events at such dog race track. (4) During the state fiscal year
374 ending June 30, 2001, each municipality in which a dog race track was
375 operating prior to July 5, 1991, shall pay the Northeast Connecticut
376 Economic Alliance, Inc. two-tenths of one per cent of the total money
377 wagered on dog racing events at any dog race track operating prior to
378 July 5, 1991. (5)] In the event a licensee incurs a loss from the operation
379 of a pari-mutuel facility, as determined by the commissioner, the
380 legislative body of the city or town in which such facility is located may
381 direct the commissioner to credit or rebate all or a part of the revenue
382 otherwise due to the municipality back to the facility. In no case shall
383 such credit and such reimbursement exceed the amount of the licensee's
384 loss, and in no fiscal year shall these provisions affect the total fees paid
385 to the state by the authorized operator of the off-track betting system on
386 its off-track betting activities.

387 Sec. 5. Section 12-578 of the general statutes is repealed and the
388 following is substituted in lieu thereof (*Effective October 1, 2022*):

389 (a) The commissioner shall adopt regulations, in accordance with the
390 provisions of chapter 54, governing registration and the issuance and
391 annual renewal of licenses and payment of annual nonrefundable
392 application fees for the same in accordance with the following schedule:

393 (1) Registration: (A) Stable name, one hundred dollars; (B)
394 partnership name, one hundred dollars; and (C) colors, twenty dollars.
395]; (D) kennel name, one hundred dollars.]

396 (2) Licenses: (A) Owner, one hundred dollars; (B) trainer, one
397 hundred dollars; (C) assistant trainer, one hundred dollars; (D) jockey,
398 forty dollars; (E) jockey agent, for each jockey, one hundred dollars; (F)

399 stable employees, including exercise boy, groom, stable foreman, hot
400 walker, outrider, twenty dollars; (G) veterinarian, one hundred dollars;
401 (H) jockey apprentice, forty dollars; (I) driver, one hundred dollars; (J)
402 valet, twenty dollars; (K) blacksmith, twenty dollars; (L) plater, twenty
403 dollars; (M) concessionaire, for each concession, two hundred fifty
404 dollars; (N) concessionaire affiliate, for each concession of the
405 concessionaire, two hundred fifty dollars; (O) concession employees,
406 twenty dollars; (P) jai alai players, one hundred dollars; (Q) officials and
407 supervisors, one hundred dollars; (R) pari-mutuel employees, forty
408 dollars; (S) other personnel engaged in activities regulated under this
409 chapter, twenty dollars; (T) vendor, for each contract, two hundred fifty
410 dollars; (U) totalizator, for each contract, two hundred fifty dollars; (V)
411 vendor and totalizator affiliates, for each contract of the vendor or
412 totalizator, two hundred fifty dollars; (W) gaming employee, forty
413 dollars; (X) nongaming vendor, two hundred fifty dollars; (Y) gaming
414 services, five hundred dollars; and (Z) gaming affiliate, two hundred
415 fifty dollars. For the purposes of this subdivision, "concessionaire
416 affiliate" means a business organization, other than a shareholder in a
417 publicly traded corporation, that may exercise control in or over a
418 concessionaire; and "concessionaire" means any individual or business
419 organization granted the right to operate an activity at [a dog race track
420 or] an off-track betting facility for the purpose of making a profit that
421 receives or, in the exercise of reasonable business judgment, can be
422 expected to receive more than twenty-five thousand dollars or twenty-
423 five per cent of its gross annual receipts from such activity at such [track
424 or] facility.

425 (b) The commissioner shall require each applicant for a license under
426 subdivision (2) of subsection (a) of this section to submit to state and
427 national criminal history records checks before such license is issued.
428 The criminal history records checks required pursuant to this subsection
429 shall be conducted in accordance with section 29-17a.

430 Sec. 6. Subsection (a) of section 12-572 of the general statutes is
431 repealed and the following is substituted in lieu thereof (*Effective October*
432 *1, 2022*):

433 (a) The commissioner may establish or authorize the establishment of
434 such off-track betting facilities throughout the state for the purpose of
435 receiving moneys wagered on the results of races or jai alai games as [he
436 shall deem] the commissioner deems will serve the convenience of the
437 public and provide maximum economy and efficiency of operation,
438 provided the establishment of such a facility in any municipality for the
439 purpose of receiving moneys on the results of races or jai alai games
440 shall be subject to the approval of the legislative body of such
441 municipality which shall be given only after a public hearing on the
442 same. Until the effective date of transfer of ownership of the off-track
443 betting system, moneys received at such facilities shall be deposited in
444 a betting fund from which daily payments, in such amount as the
445 commissioner deems suitable, shall be made. If an operator of an off-
446 track betting facility intends to conduct wagering on [dog racing events
447 or] jai alai games, such operator (1) shall conduct wagering on [dog
448 racing events or] jai alai games conducted by any association licensee
449 which offers such [racing events or] games for off-track betting,
450 provided such operator obtains the written consent of such licensee, and
451 (2) may conduct wagering on out-of-state [dog racing events or] jai alai
452 games when no such association licensee is conducting such [racing
453 events or] games, provided such operator has complied with the
454 provisions of subdivision (1) of this subsection. No operator of an off-
455 track betting facility shall conduct wagering on any [dog racing event
456 or] jai alai game if such [racing event or] game is conducted within forty
457 miles of such facility unless such operator has obtained the written
458 consent of the licensee conducting such [racing event or] game. An
459 operator of an off-track betting facility may conduct wagering on out-
460 of-state dog racing events.

461 Sec. 7. Section 12-559 of the general statutes is repealed and the
462 following is substituted in lieu thereof (*Effective October 1, 2022*):

463 The commissioner may employ stewards for thoroughbred racing,
464 judges for harness racing [, greyhound racing] and jai alai, and
465 veterinarians who shall be exempt from classified service, and may
466 employ, subject to the provisions of chapter 67, such other employees as

467 may be necessary to carry out the provisions of this chapter. The
468 commissioner shall require such persons to submit to state and national
469 criminal history records checks before being employed. The criminal
470 history records checks required pursuant to this section shall be
471 conducted in accordance with section 29-17a. All persons employed
472 pursuant to this section, with the exception of any steward, judge or
473 veterinarian, shall be residents of the state at the time of and during the
474 full term of their employment.

475 Sec. 8. Subsection (b) of section 17a-713 of the 2022 supplement to the
476 general statutes is repealed and the following is substituted in lieu
477 thereof (*Effective October 1, 2022*):

478 (b) The program established by subsection (a) of this section shall be
479 funded by: (1) Imposition of a fee of one hundred thirty-five dollars on
480 each association license, for each performance of jai alai [or dog racing]
481 conducted under the provisions of chapter 226, provided no such
482 licensee shall contribute more than forty-five thousand dollars in any
483 one year; (2) imposition of a fee of twenty-five dollars for each
484 teletheater performance on each operator of a teletheater facility; (3) the
485 amount received from the Connecticut Lottery Corporation pursuant to
486 section 12-818; and (4) any amount received pursuant to section 12-871
487 from the holder of a master wagering license under section 12-852. The
488 Commissioner of Consumer Protection shall collect the fee from each
489 association licensee or such operator on a monthly basis. The receipts
490 shall be deposited in the General Fund and credited to a separate,
491 nonlapsing chronic gamblers treatment and rehabilitation account
492 which shall be established by the Comptroller. All moneys in the
493 account are deemed to be appropriated and shall be expended for the
494 purposes established in subsection (a) of this section.

495 Sec. 9. Subdivision (1) of subsection (b) of section 19a-342 of the 2022
496 supplement to the general statutes is repealed and the following is
497 substituted in lieu thereof (*Effective October 1, 2022*):

498 (b) (1) Notwithstanding the provisions of section 31-40q, no person
499 shall smoke: (A) In any area of a building or portion of a building,

500 owned and operated or leased and operated by the state or any political
501 subdivision of the state; (B) in any area of a health care institution,
502 including, but not limited to, a psychiatric facility; (C) in any area of a
503 retail establishment accessed by the general public; (D) in any
504 restaurant; (E) in any area of an establishment with a permit issued for
505 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
506 22, 30-22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f,
507 in any area of an establishment with a permit for the sale of alcoholic
508 liquor pursuant to section 30-23 issued after May 1, 2003, and, on and
509 after April 1, 2004, in any area of an establishment with a permit issued
510 for the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the
511 bar area of a bowling establishment holding a permit pursuant to
512 subsection (a) of section 30-37c; (F) in any area of a school building or
513 on the grounds of such school; (G) within a child care facility or on the
514 grounds of such child care facility, except, if the child care facility is a
515 family child care home, as defined in section 19a-77, such smoking is
516 prohibited only when a child enrolled in such home is present during
517 customary business hours; (H) in any passenger elevator; (I) in any area
518 of a dormitory in any public or private institution of higher education;
519 (J) in any area of [a dog race track or] a facility equipped with screens
520 for the simulcasting of off-track betting race programs or jai alai games;
521 (K) in any room offered as an accommodation to guests by the operator
522 of a hotel, motel or similar lodging; (L) in any area of a correctional
523 facility or halfway house; or (M) in any area of a platform or a shelter at
524 a rail, busway or bus station, owned and operated or leased and
525 operated by the state or any political subdivision of the state. For
526 purposes of this subsection, "restaurant" means space, in a suitable and
527 permanent building, kept, used, maintained, advertised and held out to
528 the public to be a place where meals are regularly served to the public,
529 "school" has the same meaning as provided in section 10-154a and "child
530 care facility" has the same meaning as provided in section 19a-342a, as
531 amended by this act.

532 Sec. 10. Subdivision (1) of subsection (b) of section 19a-342a of the
533 2022 supplement to the general statutes is repealed and the following is
534 substituted in lieu thereof (*Effective October 1, 2022*):

535 (b) (1) No person shall use an electronic nicotine or cannabis delivery
536 system or vapor product: (A) In any area of a building or portion of a
537 building owned and operated or leased and operated by the state or any
538 political subdivision of the state; (B) in any area of a health care
539 institution, including, but not limited to, a psychiatric facility; (C) in any
540 area of a retail establishment accessed by the public; (D) in any
541 restaurant; (E) in any area of an establishment with a permit issued for
542 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
543 22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-
544 37e or 30-37f, in any area of establishment with a permit issued for the
545 sale of alcoholic liquor pursuant to section 30-23 issued after May 1,
546 2003, or the bar area of a bowling establishment holding a permit
547 pursuant to subsection (a) of section 30-37c; (F) in any area of a school
548 building or on the grounds of such school; (G) within a child care facility
549 or on the grounds of such child care facility, except, if the child care
550 facility is a family child care home as defined in section 19a-77, such use
551 is prohibited only when a child enrolled in such home is present during
552 customary business hours; (H) in any passenger elevator; (I) in any area
553 of a dormitory in any public or private institution of higher education;
554 (J) in any area of [a dog race track or] a facility equipped with screens
555 for the simulcasting of off-track betting race programs or jai alai games;
556 (K) in any room offered as an accommodation to guests by the operator
557 of a hotel, motel or similar lodging; (L) in any area of a correctional
558 facility, halfway house or residential facility funded by the Judicial
559 Branch; or (M) in any area of a platform or a shelter at a rail, busway or
560 bus station, owned and operated or leased and operated by the state or
561 any political subdivision of the state. For purposes of this subsection,
562 "restaurant" means space, in a suitable and permanent building, kept,
563 used, maintained, advertised and held out to the public to be a place
564 where meals are regularly served to the public, and "school" has the
565 same meaning as provided in section 10-154a.

566 Sec. 11. Section 12-574d of the general statutes is repealed. (*Effective*
567 *October 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	12-574(i) to (s)
Sec. 2	<i>October 1, 2022</i>	12-574c
Sec. 3	<i>October 1, 2022</i>	12-574a
Sec. 4	<i>October 1, 2022</i>	12-575
Sec. 5	<i>October 1, 2022</i>	12-578
Sec. 6	<i>October 1, 2022</i>	12-572(a)
Sec. 7	<i>October 1, 2022</i>	12-559
Sec. 8	<i>October 1, 2022</i>	17a-713(b)
Sec. 9	<i>October 1, 2022</i>	19a-342(b)(1)
Sec. 10	<i>October 1, 2022</i>	19a-342a(b)(1)
Sec. 11	<i>October 1, 2022</i>	Repealer section

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill results in no fiscal impact to the state or municipalities as greyhound racing has not occurred in Connecticut since 2006.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**HB 5174*****AN ACT PROHIBITING THE OPERATION OF GREYHOUND RACING IN THE STATE.*****SUMMARY**

This bill repeals the statutes authorizing dog tracks and dog racing in Connecticut but explicitly allows off-track betting (OTB) operators to conduct betting on out-of-state dog races. Current law generally prohibits the Department of Consumer Protection from issuing any new licenses to conduct dog racing.

The bill makes numerous conforming changes, including repealing provisions on the (1) tax and takeout rates for bets at dog racing facilities, (2) fees imposed on dog races to fund chronic gambling rehabilitation programs, and (3) bans on smoking and vaping at dog race tracks. It also makes technical changes.

EFFECTIVE DATE: October 1, 2022

BACKGROUND***Dog Racing***

There has not been an active dog race track in the state since 2006. Plainfield Greyhound Park, the state's first track, opened in 1976 and closed in 2005. A state jai alai track in Bridgeport was converted into the Shoreline Star greyhound racing facility in 1995. The race track closed in 2005, but the facility was renamed Winners Shoreline Star and operated simulcast wagering until 2021 on horse races, greyhound races, and jai alai.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 19 Nay 5 (03/03/2022)