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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

NINETY-THIRD SESSION

**H. F. No. 5274**

- 04/04/2024 Authored by Stephenson, Hortman, Klevorn, Long and Davids  
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
- 04/11/2024 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy  
Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration
- 04/15/2024 Adoption of Report: Re-referred to the Committee on State and Local Government Finance and Policy  
Joint Rule 2.03 has been waived for any subsequent committee action on this bill

1.1 A bill for an act

1.2 relating to horse racing; providing for the conduct of advance deposit wagering,

1.3 card playing, and pari-mutuel betting; prohibiting the authorization of historical

1.4 horse racing and other games; providing definitions; making clarifying and

1.5 conforming changes; amending Minnesota Statutes 2022, sections 240.01,

1.6 subdivisions 1c, 5, 8, 14, by adding subdivisions; 240.30, subdivision 8; proposing

1.7 coding for new law in Minnesota Statutes, chapter 240.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2022, section 240.01, subdivision 1c, is amended to read:

1.10 Subd. 1c. **Advance deposit wagering; ADW.** "Advance deposit wagering" or "ADW"

1.11 means a system of pari-mutuel ~~wagering~~ betting in which wagers and withdrawals are

1.12 debited and winning payoffs and deposits are credited to an account held by an authorized

1.13 ADW provider on behalf of an account holder. Advance deposit wagering shall not mean

1.14 or include historical horse racing, nor any televised, video, or computer screen depicting a

1.15 video game of chance or slot machine.

1.16 Sec. 2. Minnesota Statutes 2022, section 240.01, is amended by adding a subdivision to

1.17 read:

1.18 Subd. 4a. **Card game.** "Card game" means live card playing at a table involving physical

1.19 cards that must be dealt to or held by both the human dealer and players. A card game must

1.20 include no more than seven player seats, or ten player seats in the case of poker, and one

1.21 human dealer at a shared, physical table.

2.1 Sec. 3. Minnesota Statutes 2022, section 240.01, subdivision 5, is amended to read:

2.2 Subd. 5. **Card playing.** "Card playing" means ~~an activity~~ a card game wherein individuals  
2.3 wager utilizing a 52-unit system of physical cards dealt to the player by a human dealer on  
2.4 a shared table, which are comprised of a series of numbers, numbered two through ten, and  
2.5 the letters J, Q, K, and A, combined with four symbols commonly known as hearts, diamonds,  
2.6 spades, and clubs, wherein each individual unit constitutes the display of one of the 52  
2.7 possible combinations. The symbol commonly known as a joker may be incorporated into  
2.8 the system.

2.9 Sec. 4. Minnesota Statutes 2022, section 240.01, subdivision 8, is amended to read:

2.10 Subd. 8. **Horse racing.** "Horse racing" is any form of live or simulcast of a live horse  
2.11 ~~rac~~ing race in which horses carry a human rider or pull a sulky with a human. Horse racing  
2.12 shall not include any form that has happened in the past or is considered historical horse  
2.13 racing.

2.14 Sec. 5. Minnesota Statutes 2022, section 240.01, is amended by adding a subdivision to  
2.15 read:

2.16 Subd. 8a. **Historical horse racing.** "Historical horse racing" means any horse race that  
2.17 was previously conducted at a licensed racetrack, concluded with results, and concluded  
2.18 without scratches, disqualifications, or dead-heat finishes.

2.19 Sec. 6. Minnesota Statutes 2022, section 240.01, subdivision 14, is amended to read:

2.20 Subd. 14. **Pari-mutuel betting.** "Pari-mutuel betting" is the system of betting on horse  
2.21 races where those who bet on horses that finish in the position or positions for which bets  
2.22 are taken share in the total amounts bet, less deductions required or permitted by law.  
2.23 Pari-mutuel betting shall not include betting on a race that has occurred in the past or is  
2.24 considered historical horse racing or where bettors are not wagering on the same live or  
2.25 simulcast horse race or bettors do not share in the total amount of bets taken.

2.26 Sec. 7. Minnesota Statutes 2022, section 240.01, is amended by adding a subdivision to  
2.27 read:

2.28 Subd. 22a. **Table.** "Table" means a physical card playing table utilized to operate a card  
2.29 game that is shared by and holds no more than seven player seats, or ten player seats in the  
2.30 case of poker, and one human dealer.

3.1 Sec. 8. [240.071] PROHIBITED ACTS.

3.2 A licensed racetrack shall only conduct horse racing and may be authorized to operate  
3.3 a card club in accordance with this chapter. A licensed racetrack shall not conduct or provide  
3.4 for play any other forms of gambling, including but not limited to historical horse racing,  
3.5 slot machines, video games of chance, and other gambling devices.

3.6 Sec. 9. [240.231] LIMITATIONS ON RULEMAKING AND OTHER AUTHORITY.

3.7 The commission's rulemaking and other authority, whether derived from section 240.23  
3.8 or other sections in this chapter, shall only pertain to horse racing and card games at a card  
3.9 club as expressly authorized in this chapter and shall not include the authority to expand  
3.10 gambling, nor the authority to approve or regulate historical horse racing, slot machines,  
3.11 video games of chance, and other gambling devices, by means of rulemaking, a contested  
3.12 case hearing, the review and approval of a plan of operation or proposed or amended plan  
3.13 of operation, the approval of any proposal or request, or any other commission or agency  
3.14 action.

3.15 Sec. 10. Minnesota Statutes 2022, section 240.30, subdivision 8, is amended to read:

3.16 Subd. 8. **Limitations.** The commission may not approve any plan of operation under  
3.17 subdivision 6 that exceeds any of the following limitations:

3.18 (1) the maximum number of tables used for card playing at the card club at any one time,  
3.19 other than tables used for instruction, demonstrations, or poker tournament play, may not  
3.20 exceed 80;

3.21 (2) except as provided in clause (3), no wager may exceed \$100;

3.22 (3) for games in which each player is allowed to make only one wager or has a limited  
3.23 opportunity to change that wager, no wager may exceed \$300; and

3.24 (4) no inclusion of any historical horse racing or any other form of gambling that is not  
3.25 expressly authorized for racetracks under this chapter.