CHAPTER 119--S.F.No. 2219

An act relating to horse racing; prohibiting the conduct of historical horse racing and other activities at licensed racetracks; amending Minnesota Statutes 2022, sections 240.01, subdivisions 1c, 8, 14, by adding a subdivision; 240.30, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 240.

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

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

Subd. 1c. **Advance deposit wagering; ADW.** "Advance deposit wagering" or "ADW" means a system of pari-mutuel ~~wagering~~ betting in which wagers and withdrawals are debited and winning payoffs and deposits are credited to an account held by an authorized ADW provider on behalf of an account holder. Advance deposit wagering shall not mean or include historical horse racing, nor any televised, video, or computer screen depicting a video game of chance or slot machine.

Sec. 2. Minnesota Statutes 2022, section 240.01, subdivision 8, is amended to read:

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

Sec. 3. Minnesota Statutes 2022, section 240.01, is amended by adding a subdivision to read:

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

Sec. 4. Minnesota Statutes 2022, section 240.01, subdivision 14, is amended to read:

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

Sec. 5. **[240.071] PROHIBITED ACTS.**

A licensed racetrack shall only conduct horse racing and may be authorized to operate a card club in accordance with this chapter. A licensed racetrack shall not conduct or provide for play any of the following: historical horse racing; slot machines; video games of chance; or other gambling devices.

Sec. 6. **[240.231] LIMITATIONS ON RULEMAKING AND OTHER AUTHORITY.**

The commission's rulemaking and other authority, whether derived from section 240.23 or other sections in this chapter, shall only pertain to horse racing and card games at a card club as expressly authorized in

this chapter and shall not include the authority to expand gambling, nor the authority to approve or regulate historical horse racing, slot machines, video games of chance, and other gambling devices, by means of rulemaking, a contested case hearing, the review and approval of a plan of operation or proposed or amended plan of operation, the approval of any proposal or request, or any other commission or agency action.

Sec. 7. Minnesota Statutes 2022, section 240.30, subdivision 8, is amended to read:

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

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

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

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

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

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective the day following final enactment.

Presented to the governor May 22, 2024

Signed by the governor May 24, 2024, 9:12 a.m.