

CHAPTER 240

PARI-MUTUEL HORSE RACING

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240.01 DEFINITIONS.

[For text of subds 1 to 25, see M.S.2000]

Subd. 26. **Unbanked.** "Unbanked" means a wagering system or game where the individual participants compete against each other and not against the sponsor or house. In an unbanked system or game, the sponsor or house may deduct a percentage from the accumulated wagers and impose other charges for hosting the activity but does not have an interest in the outcome of a game. The sponsor or house may add additional prizes, awards, or money to any game for promotional purposes. Unbanked games include those games that involve a player pool.

Subd. 27. **Player pool.** "Player pool" means a wagering system or game where wagers lost in a number of card games may be accumulated into a pool for purposes of enhancing the total amount paid back to players in any other card game. In such instances, the sponsor or house may only serve as custodian of the player pool and may not have an active interest in any card game.

History: 2001 c 96 s 1,2

240.08 OCCUPATION LICENSES.

[For text of subd 1, see M.S.2000]

Subd. 2. **Application.** An application for a class C license must be on a form the commission prescribes and must be accompanied by an affidavit of qualification that the applicant:

(a) is not in default in the payment of an obligation or debt to the state under Laws 1983, chapter 214;

(b) does not have a felony conviction of record in a state or federal court and does not have a state or federal felony charge pending;

(c) is not and never has been connected with or engaged in an illegal business;

(d) has never been found guilty of fraud or misrepresentation in connection with racing or breeding;

(e) has never been found guilty of a violation of law or rule relating to horse racing, pari-mutuel betting or any other form of gambling which is a serious violation as defined by the commission's rules; and

(f) has never knowingly violated a rule or order of the commission or a law of Minnesota relating to racing.

The application must also contain an irrevocable consent statement, to be signed by the applicant, which states that suits and actions relating to the subject matter of the application or acts or omissions arising from it may be commenced against the applicant in any court of competent jurisdiction in this state by the service on the secretary of state of any summons, process, or pleading authorized by the laws of this state. If any summons, process, or pleading is served upon the secretary of state, it must be by duplicate copies. One copy must be retained in the office of the secretary of state and the other copy must be forwarded immediately by certified mail to the address of the applicant, as shown by the records of the commission.

[For text of subds 3 to 5, see M.S.2000]

History: 2001 c 59 s 1

240.24 MEDICATION.

[For text of subd 1, see M.S.2000]

Subd. 2. **Exception.** Notwithstanding subdivision 1, the commission by rule shall allow the use of: (1) topical external applications that do not contain anesthetics or steroids; (2) food additives; (3) Furosemide or other pulmonary hemostatic agents if the agents are administered under the visual supervision of the veterinarian or a designee of the veterinarian employed by the commission; and (4) nonsteroidal anti-inflammatory drugs, provided that the test sample does not contain more than five micrograms of the substance or metabolites thereof per milliliter of blood plasma. For purposes of this clause, "test sample" means any bodily substance including blood, urine, saliva, or other substance as directed by the commission, taken from a horse under the supervision of the commission veterinarian and in such manner as prescribed by the commission for the purpose of analysis.

[For text of subd 3, see M.S.2000]

History: 2001 c 59 s 2

240.30 CARD CLUBS.

[For text of subds 1 to 7, see M.S.2000]

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 tournament play, may not exceed 50. The table limit exception for tournament play is allowed for only one tournament per year that lasts for no longer than 14 days;

(2) except as provided in clause (3), no wager may exceed \$60;

(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.

[For text of subd 9, see M.S.2000]

Subd. 10. **Reporting.** The class B licensee shall report all income generated by the card club in an annual report to the racing commission. The report shall also account for all costs of operation, taxes paid, amounts paid to the breeder's fund, and net profits to the class B licensee.

History: 2001 c 96 s 3,4

240.35 DETENTION OF SUSPECTS.

Subdivision 1. **Generally.** A licensee of the commission may detain a person if the licensee has probable cause to believe that the person detained has violated section 609.76 while at a card club authorized by section 240.30. For purposes of this section, "licensee" means the commission's director of racing security or a security officer licensed under Minnesota Rules, chapter 7878.

Subd. 2. **Circumstances justifying detention.** (a) A licensee may detain a person to:

(1) require the person to provide identification or to verify identification;

(2) inquire as to whether the person possesses any contraband as provided by section 609.762, subdivision 1;

(3) notify a peace officer of the alleged violation; or

(4) institute criminal proceedings against the person.

(b) The person detained must be promptly informed of the purpose of the detention and may not be subjected to unnecessary or unreasonable force, nor to interrogation against the person's will. If at any time the person detained requests the licensee to summon a peace officer, the licensee must notify a peace officer immediately. A licensee of the Minnesota racing commission must not detain a person for more

than one hour unless a peace officer requests detention, in which case the person may be detained until the peace officer has accepted custody of or released the person.

Subd. 3. **Arrest.** Upon a charge being made by a licensee, a peace officer may arrest a person without a warrant if the officer has probable cause to believe that the person has committed or attempted to commit an offense described in section 609.76.

Subd. 4. **Immunity.** No licensee or peace officer is criminally or civilly liable for any detention authorized by this section if probable cause exists for the detention, and the detention was not conducted with unreasonable force or in bad faith.

History: 2001 c 92 s 1