



1 racing in which each horse participating ~~therein~~ is a thoroughbred  
2 and ~~is~~ mounted by a jockey;

3 (3) "Harness racing" means horse racing in which the horses  
4 participating ~~therein~~ are harnessed to a sulky, carriage or other  
5 vehicle and ~~shall~~ does not include any form of horse racing in  
6 which the horses are mounted by jockeys;

7 (4) "Horse race meeting" means the whole period of time for  
8 which a license is required by the provisions of section one of  
9 this article;

10 (5) "Dog racing" means any type of dog racing, including, but  
11 not limited to, greyhound racing;

12 (6) "Purse" means any purse, stake or award for which a horse  
13 or dog race is run;

14 (7) "Racing association" or "person" means any individual,  
15 partnership, firm, association, corporation or other entity or  
16 organization of whatever character or description;

17 (8) "Applicant" means any racing association making  
18 application for a license under the provisions of this article or  
19 any person making application for a permit under the provisions of  
20 this article or any person making application for a construction  
21 permit under the provisions of this article; ~~as the case may be;~~

22 (9) "License" means the license required by the provisions of  
23 section one of this article;

24 (10) "Permit" means the permit required by the provisions of

1 section two of this article;

2 (11) "Construction permit" means the construction permit  
3 required by the provisions of section eighteen of this article;

4 (12) "Licensee" means any racing association holding a license  
5 required by the provisions of section one of this article and  
6 issued under the provisions of this article;

7 (13) "Permit holder" means any person holding a permit  
8 required by the provisions of section two of this article and  
9 issued under the provisions of this article;

10 (14) "Construction permit holder" means any person holding a  
11 construction permit required by the provisions of section eighteen  
12 of this article and issued under the provisions of this article;

13 (15) "Hold or conduct" includes "assist, aid or abet in  
14 holding or conducting";

15 (16) "Racing commission" means the West Virginia Racing  
16 Commission;

17 (17) "Stewards" means the steward or stewards representing the  
18 Racing Commission, the steward or stewards representing a licensee  
19 and any other steward or stewards whose duty it is to supervise any  
20 horse or dog race meeting, all as may be provided by reasonable  
21 rules of the Racing Commission ~~and the reasonable rules~~ which rules  
22 shall specify the number of stewards to be appointed, the method  
23 and manner of their appointment and their powers, authority and  
24 duties;

1           (18) "Pari-mutuel" means a mutuel or collective pool that can  
2 be divided among those who have contributed their wagers to one  
3 central agency, the odds to be reckoned in accordance to the  
4 collective amounts wagered upon each contestant running in a horse  
5 or dog race upon which the pool is made, but the total to be  
6 divided among the first three contestants on the basis of the  
7 number of wagers on these;

8           (19) "Pari-mutuel clerk" means any employee of a licensed  
9 racing association who is responsible for the collection of wagers,  
10 the distribution of moneys for winning pari-mutuel tickets,  
11 verification of the validity of pari-mutuel tickets and accounting  
12 for pari-mutuel funds;

13           (20) "Pool" means a combination of interests in a joint  
14 wagering enterprise or a stake in such enterprise;

15           (21) "Legitimate breakage" is the percentage left over in the  
16 division of a pool;

17           (22) "To the dime" means that wagers shall be figured and paid  
18 to the dime;

19           (23) "Code" means the Code of West Virginia, 1931, as  
20 heretofore and hereinafter amended;

21           (24) "Accredited thoroughbred horse" means a thoroughbred  
22 horse that is registered with the West Virginia Thoroughbred  
23 Breeders Association and that is:

24           ~~(a)~~ (A) Foaled in West Virginia; or

1       ~~(b)~~ (B) Sired by an accredited West Virginia sire; or  
2       ~~(c)~~ (C) As a yearling, finished twelve consecutive months of  
3 verifiable residence in the state, except for thirty days' grace:  
4       ~~(A)~~ (i) For the horse to be shipped to and from horse sales  
5 where the horse is officially entered in the sales catalogue of a  
6 recognized thoroughbred sales company, or  
7       ~~(B)~~ (ii) For obtaining veterinary services, documented by  
8 veterinary reports;  
9       (25) "Accredited West Virginia sire" is a sire that is  
10 permanently domiciled in West Virginia, stands a full season in  
11 West Virginia and is registered with West Virginia Thoroughbred  
12 Breeders Association;  
13       (26) "Breeder of an accredited West Virginia horse" is the  
14 owner of the foal at the time it was born in West Virginia;  
15       (27) "Raiser of an accredited West Virginia horse" is the  
16 owner of the yearling at the time it finished twelve consecutive  
17 months of verifiable residence in the state. During the period, the  
18 raiser will be granted one month of grace for his or her horse to  
19 be shipped to and from thoroughbred sales where the horse is  
20 officially entered in the sales catalogue of a recognized  
21 thoroughbred sales company. In the event the yearling was born in  
22 another state and transported to this state, this definition does  
23 not apply after the December 31, 2007, to any pari-mutuel racing  
24 facility located in Jefferson County nor shall it apply after the

1 December 31, 2012, and thereafter to any pari-mutuel racing  
2 facility located in Hancock County. Prior to the horse being  
3 shipped out of the state for sales, the raiser must notify the  
4 Racing Commission of his or her intentions;

5 (28) The "owner of an accredited West Virginia sire" is the  
6 owner of record at the time the offspring is conceived;

7 (29) The "owner of an accredited West Virginia horse" means  
8 the owner at the time the horse earned designated purses to qualify  
9 for restricted purse supplements provided in section thirteen-b of  
10 this article;

11 (30) "Registered greyhound owner" means an owner of a  
12 greyhound that is registered with the National Greyhound  
13 Association;

14 (31) "Fund" means the West Virginia Thoroughbred Development  
15 Fund established in section thirteen-b of this article; and

16 (32) "Regular purse" means both regular purses and stakes  
17 purses.

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(NOTE: The purpose of this bill is to amend the definition of  
"accredited thoroughbred horse" to require registration with the  
Thoroughbred Breeders Association.

Strike-throughs indicate language that would be stricken from  
the present law and underscoring indicates new language that would  
be added.)