

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2958**

4 (By Delegates Doyle, Swartzmiller, Guthrie  
5 and Morgan)

6  
7 (Originating in the Committee on Finance)

8 [February 25, 2011]

9  
10 A BILL to amend and reenact §19-23-14 of the Code of West Virginia,  
11 1931, as amended, relating to allowing the West Virginia  
12 Racing Commission to use certain permit and registration fees  
13 to pay salaries and other budgeted expenses; and providing  
14 that judges and the Racing Commission may also impose  
15 penalties.

16 *Be it enacted by the Legislature of West Virginia:*

17 That §19-23-14 of the Code of West Virginia, 1931, as amended,  
18 be amended and reenacted to read as follows:

19 **ARTICLE 23. HORSE AND DOG RACING.**

20 **§19-23-14. Disposition of permit fees, registration fees and**  
21 **finer civil penalties.**

22 (a) All permit fees~~7~~ and fees paid for the registration of  
23 colors or assumed names collected by the Racing Commission shall be  
24 paid by the commission to the State Treasurer for deposit in the  
25 Racing Commission's general administrative account. ~~and~~

26 (b) ~~finer~~ All civil penalties imposed by the stewards,

1 ~~starters or other racing officials~~ judges or the commission shall  
2 be paid into a relief fund and paid out on the order of the ~~Racing~~  
3 commission for hospitalization, medical care and funeral expenses  
4 occasioned by injuries or death resulting from an accident  
5 sustained by any permit holder while in the discharge of his or her  
6 duties under the jurisdiction of the Racing Commission: Provided,  
7 That (1) No payment shall may be made however, from the relief fund  
8 for any hospitalization, medical care or funeral expenses as to any  
9 of a permit holder who is covered under the by workers'  
10 compensation fund of this state or any an insurance policy  
11 providing payments for hospitalization, medical care or funeral  
12 expenses; and (2) Any balance in said relief fund at any time in  
13 excess of five thousand dollars, any balance in the relief fund in  
14 excess of \$5,000, less any relief obligations then outstanding  
15 outstanding obligations, shall thereupon be transferred by the  
16 Racing Commission to the State Treasurer for deposit to the credit  
17 of the General Revenue Fund of this state.