

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4769

BY DELEGATES SWARTZMILLER, FLUHARTY, DISERIO,
ROBINSON, SKAFF, STORCH, MCGEEHAN AND PYLES

[Introduced February 10, 2020; Referred to the
Committee on the Judiciary then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §19-23-30, relating to creating a comprehensive study of the greyhound racing
3 industry; providing legislative findings; directing the West Virginia University Bureau of
4 Business and Economic Research and Marshall University's Center for Regional Progress
5 to conduct the study; providing that the universities submit a memo of understanding
6 outlining the study plan and allocation of duties between the two schools; providing study
7 parameters; and establishing study reporting deadlines.

Be it enacted by the Legislature of West Virginia:

ARTICLE 23. HORSE AND DOG RACING.

§19-23-30. Greyhound Racing Industry Viability Assessment Act.

1 (a) Legislative findings. -- Since dog race para-mutual betting was legalized in West
2 Virginia in 1975, it has been an essential and integral part of the State Lottery Act and has brought
3 thousands of jobs and millions of dollars to the State of West Virginia through the creation of a
4 rural family based industry that continues to contribute to the state economy and create jobs and
5 opportunities for our state and its residents. However, the dog racing industry has been in decline
6 for the last decade as gaming tastes and markets have shifted towards other types of gambling.
7 Although the market for dog racing has declined, there has and continues to be sufficient
8 economic benefit to our state and the small businesses that participate in the industry. Therefore,
9 it is a worthy endeavor for the Legislature to cause a study of the viability of the dog gaming
10 industry in the state, and whether it can be rebranded and presented regionally and nationally to
11 attract more betting activities, particularly through Internet gaming. Further, that a study be done
12 to assess a variety of options for the industry, specifically in betting platforms for patrons of gaming
13 services to access and enjoy the unique betting options available in this industry in a manner that
14 is more consistent with successful gaming activities. Specifically, investigating the development
15 of new gaming platforms, Internet accessibility, marketing initiatives, and promotions to attract
16 out-of-state or even international dog race betting interest. Finally, conducting an investigation of

17 the dog management practices to see if there is a need to improve the treatment or dog handling
18 practices and to assure adoption at the end of a dogs racing career. Therefore, the purpose of
19 this section is to direct the West Virginia University Bureau of Business and Economic Research
20 and Marshall University's Center for Regional Progress to coordinate and administer a study of
21 the industry and report to the Joint Committee on Government and Finance its findings and
22 recommendations regarding the study directives provided pursuant to subsection (b) of this
23 subsection.

24 (b) Study Directives. -- The West Virginia University Bureau of Business and Economic
25 Research and Marshall University's Center for Regional Progress shall coordinate a study through
26 a memorandum of understanding allocating various aspects of the study to each respective entity,
27 to allocate areas of study based on the areas each entity is best positioned, based on expertise
28 and specialization, to conduct the following study and research:

29 (1) Analysis of gaming trends, including the evolution of the gaming industry in West
30 Virginia and nationally, relating to dog race betting, including, but not limited to, conducting polling
31 of persons who are likely to frequent race track casinos and their views of dog racing, their interest
32 in the sport, including incentives and disincentives for their participation in this gaming activity,
33 and whether Internet-based platforms to allow live betting and greater analysis into dog and
34 kennel information and histories would increase interest in participating in the gaming activity;

35 (2) Analysis of the economic activities associated with the dog race gaming industry in
36 West Virginia and nationally, including economic impacts generated by dog breeding, kennel
37 operations, employment at casinos, other contributions to the local and state economies, taxes
38 generated to the state, and any other relative factors identified by the researchers;

39 (3) The use and treatment of dogs in the industry, including treatment of and management
40 practices, mortality rates, health patterns, adoption rates, and other factors relating to the quality
41 of life and the treatment of the greyhound racing population in West Virginia and nationally;

42 (4) A broad investigation into betting trends and interests of the gambling population to

43 identify if sufficient interest in live racing sports betting exists regionally, nationally, and globally
44 for this sporting activity and if innovative marketing, advertising, and promotions would attract
45 gamblers to this form of betting through new Internet-based betting platforms;

46 (5) Research into potential innovative Internet programing that integrates this betting
47 activity with other sports betting platforms, allowing for betting by alternative betting formats and
48 ways to access the data and analyze dog sports betting that attracts new interest from gaming
49 customers; and

50 (6) Through the initiative of the West Virginia University Bureau of Business and Economic
51 Research and Marshall University's Center for Regional Progress, the identification and study of
52 other relevant areas of interest into the dog racing industry, with the purpose of proving a complete
53 assessment of the greyhound dog racing industry, including final recommendations on the viability
54 of the industry, including, but not limited to:

55 (A) Whether actions can be taken by the state, the gaming industry, or others to stimulate
56 gamers' interests and invigorate the greyhound dog racing industry;

57 (B) Whether the treatment and quality of life for the dogs can be improved, or if there are
58 inherent problems in the conduct of the industry practices that prevent the dogs from being treated
59 humanely; and

60 (C) Whether there is sufficient economic benefit to the State of West Virginia to continue
61 the industry and the impacts of closure of the industry to the state and to local economies.

62 (c) Study reporting, conclusions and recommendations. -- The West Virginia University
63 Bureau of Business and Economic Research and Marshall University's Center for Regional
64 Progress shall submit to the Joint Committee on Government and Finance by July 1, 2020, a
65 memorandum of understating that initiates a plan that allocates duties between the two
66 organizations, and specifies a plan for proceeding with the study. The two organizations shall
67 provide quarterly reports on the progress of their studies beginning September 1, 2020, and every
68 three months thereafter until completion to the Legislature's Joint Committee on Government and

- 69 Finance. The final study and recommendations shall be submitted by January 1, 2022, to the Joint
70 Committee on Government and Finance and shall include recommendations and conclusions
71 regarding the future viability of greyhound racing industry in West Virginia.

NOTE: The purpose of this bill is to direct a study of the greyhound racing industry in West Virginia and its current economic impacts to the state; whether innovations can be developed and implemented that would invigorate the industry; directing The West Virginia University Bureau of Business and Economic Research and Marshall University's Center for Regional Progress coordinate a study into the current state of the industry; the potential for future development of the industry; how current industry practices impact dogs used in the industry; providing guidelines for the study, and deadlines for reporting to the Legislature.

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