Missouri Constitution Section

Article III
LEGISLATIVE DEPARTMENT
Section 39c
November 14, 2016

Pari-mutuel wagering may be authorized by general assembly--horse racing commission established, election procedure to adopt or reject horse racing.

Section 39(c) 1. The general assembly may authorize on track pari-mutuel betting on horse racing in a manner provided by law. There is hereby created the Missouri Horse Racing Commission which shall consist of five members appointed by the governor with the advice and consent of the senate. Members of the commission shall be citizens and eligible voters of Missouri and shall not have been convicted of a felony. Not more than three members shall be affiliated with the same political party, and not more than one member may be a resident of any one congressional district or of any single county or of the City of St. Louis. Of the members first appointed, one shall be appointed for a one year term, one shall be appointed for a two year term, one shall be appointed for a three year term, one shall be appointed for a four year term and one shall be appointed for a five year term; and thereafter members shall be appointed for terms of five years. The governor shall designate one of the members to be chairman. The governor may remove any member of the commission from office for malfeasance or neglect of duty in office. Members of the commission shall be reimbursed and paid for the expenses which they reasonably incur in the performance of their official duties, but they shall not, however, be paid a salary or other remuneration for their services unless such be authorized by law. No person may serve as a member of the commission and his office shall be deemed vacated if:

(i) The member, the member's spouse, child or parent owns any interest in a race track licensed by the Commission.

(ii) The member, the member's spouse, child or parent is an officer, employee, consultant or otherwise receives any remuneration from race track licensee.

(iii) The member, the member's spouse, child or parent holds a financial interest in a management or concession contract with a race track licensee. A member shall not, however, be disqualified because either the member or the member's spouse, child or parent is a horse owner or a horse breeder whose horse participates as other horses and wins purses or awards in a race at a licensed race track.

2. At the general election to be held in November, 1986, every officer or body in charge of the elections shall order the following question on the ballot: "Shall pari-mutuel wagering upon horse races be permitted in .... County (or the City of St. Louis)?" This question may also be ordered upon the ballot at the general election occurring in 1988 and every four years thereafter by the governing body of any county where pari-mutuel wagering has not been previously authorized. The general provisions of law with respect to the conduct of elections and the submission of questions to voters for determination shall

apply insofar as they are applicable. No license shall be issued by the commission authorizing pari-mutuel wagering within the grounds or enclosure of a race track until a majority of the qualified voters of the county where the race track is proposed to be located vote to accept pari-mutuel wagering in that county at one of the elections referred to above. Once pari-mutuel wagering on horse racing has been accepted by the voters of that county at an appropriate election, no other vote shall be held on the question of the legality of such wagering in that county. If the qualified voters of the county reject pari-mutuel wagering on horse races in that county, no elections shall be held on the question in that county except as in the manner specified above. As used in this section, the term "county" includes the City of St. Louis.

(Adopted August 5, 1986).

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