



State of Michigan
 Michigan Gaming Control Board
 Office of the Executive Director
 Online Gaming & Legal Affairs Division
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**STATE OF MICHIGAN
 MICHIGAN GAMING CONTROL BOARD
 OFFICE OF THE EXECUTIVE DIRECTOR
 Online Gaming & Legal Affairs**

APPLICATION FOR 2023 RACE MEET LICENSE

Applicants for a race meeting license pursuant to the Horse Racing Law of 1995, as amended, (the Act) must provide the following information to the Michigan Gaming Control Board (MGCB), Online Gaming & Legal Affairs Division.

NOTE: Please do NOT reply, to any question, "Copy on file with the MGCB Online Gaming & Legal Affairs Division". The application requires an actual copy of the specific document requested to be attached.

SECTION I - GENERAL INFORMATION

1. Legal Name of the Business Entity Applicant: _____

2. Race Meet Business Entity Verification and Documentation
 - a. If a corporation, limited liability company, or limited partnership:
 - i. Date of incorporation/formation: _____
 - ii. Place of incorporation/formation if other than Michigan: _____
 - iii. Verification of corporation or limited liability's authorization to conduct business in Michigan through registration with the MI Department of Licensing and Regulatory Affairs (LARA); ID Number _____
 - iv. List any registered assumed names and their year of expiration:

	Expiration
	Expiration
	Expiration
 - v. FEIN No. _____
 - b. If a sole proprietor or co-partnership:
 - i. Date of registration: _____ County of registration: _____

ii. "Certificate of Co-partnership" or "Certificate of Persons Conducting Business Under Assumed Name" expiration date: _____ (applicant must enclose a copy with this application).

c. Attach copies of the current partnership agreement or articles of incorporation/formation, all amendments, and the most recent annual report.

3. Provide the name(s), address(es), telephone number(s) and title(s) of the applicant(s) including principal contact person(s), representative(s), corporate directors, LLC members, officers, registered agent(s), corporate shareholder(s) and partner(s) on a completed **Attachment A** (required).

4. Is the business entity applicant organized for:

charitable purposes?

the purpose of distributing its income or profit to charitable organizations?

profit?

5. Specify the licensed racetrack at which the proposed 2023 race meet will be held including all training facilities with their legal address:

a. Legal Name of Licensed Racetrack's Business Entity:

b. Principal Address:

Street Address _____

City of _____ County of _____ State of _____

c. Legal Address of Track:

County of _____ Municipality _____

Physical Address _____

d. Training Facilities (legal addresses):

6. Specify the horse breed(s) for which the applicant desires to conduct live racing at the proposed 2023 race meet:

Thoroughbred Race Meeting

Standardbred Race Meeting

7. Specify the time period (Months and Dates) during which the applicant requests to be licensed in 2023:

***NOTE:** Under the Act the term of the race meeting license may be for the entire calendar year, January 1 through December 31, and need not be limited to the time period during which live racing will be conducted. Simulcasting may only be conducted by the holder of the current race meeting license and simulcast permit from the MGCB, Office of the Executive Director.*

8. Specify the total number of days, the specific days/dates of the week **in a calendar format**, on which the applicant proposes to conduct live horse racing in 2023 and the number of live horse races proposed in 2023 for each live racing date allocated to the applicant. Lack of specific days will be regarded as an incomplete application.
(Attach a completed **Attachment B.**)

9. Does the applicant have a valid contract with a certified horseman's organization to conduct its proposed 2023 race meet?

Each applicant must submit a copy of its written and fully executed contract with a certified horsemen's organization who represents the applied for breeds. The term of the contract must include the term of the applied for license. If the applicant has applied for thoroughbred/mixed breed racing and standardbred racing, the contract or contracts submitted must cover all applied for breeds. The contract must be filed with the Executive Director before September 1 of the year preceding the proposed race meet and must adhere to all rules and regulations of the Act.

Yes, a copy of the horsemen's contract including original, legible agreement(s) plus any addenda is attached, as required. (**Attachment C**)

No. Contract will be forwarded before September 1, 2022

***NOTE:** The only horsemen's organizations currently certified by the MGCB, Office of the Executive Director are the Horseman's Benevolent & Protective Association (HBPA) and the Michigan Harness Horseman's Association (MHHA). Other horsemen's organizations may be certified by the Michigan Gaming Control Board only if they demonstrate to the satisfaction of the MGCB Executive Director that they meet the requisite criteria for certification under Section 2(b) of the Horse Racing Law of 1995, as amended.*

SECTION II - SIMULCASTING INFORMATION

1. Does the applicant request or plan to request permission to conduct simulcasting during the term of the proposed race meeting?

Yes No

NOTE: General permission for simulcasting will not be given by the MGCB, Office of the Executive Director. Simulcasting permission will only be given for the specified dates, specific days of the week, times, and entities that the applicant specifies in this application. If a permit holder wishes to substantially change its approved simulcasting program in terms of the dates, times, or simulcast contractors, then the permit holder must first request authorization from the MGCB Executive Director for its revised simulcasting program.

If the applicant is requesting permission for simulcasting, specify the date(s), the specific day(s) of the week in a calendar format, and the time(s) the applicant plans to simulcast. (Attach a completed **Attachment D.**)

2. Does the applicant request or plan to request permission to export its live race meet signals during the term of the proposed 2023 race meet?

Yes No (if no, skip to question #3)

- a. Identify all Michigan entities that the applicant intends to contract with to export its live race meet signals to. (Applicant must enclose a completed **Attachment E.**)
- b. Identify all out-of-state entities that the applicant intends to contract with to export its live race meet signals to. (Label the required listing as **Attachment F.**)

The listing must include full legal name of business entity (guest association), city, state, hub, and whether or not the entity is licensed in the jurisdiction that it is headquartered in. Provide copies of any State simulcast authorization letters with copies of the executed contracts.

- c. Provide a copy of the applicant's export simulcast wagering agreement template that it will be using to contract with or export its live race meet signals to. (Label the required export agreement template as **Attachment G.**)

The export simulcast wagering agreement must identify the specific areas listed below as well as address Michigan requirements regarding off-track betting, internet and telephone wagering.

Host & Guest Track Information: Include races, available pari-mutuel pools, takeout rates, minimum wager amounts, maximum number of betting interest per race, standard scratch times, stop wagering, decoder services, totalisator company(s), hub(s), past performance and other program services, and commissions.

The document must include the following text: "Pursuant to the Michigan Horse Racing Law of 1995, the Administrative Rules promulgated thereto, and all Written Orders of the Michigan Gaming Control Board, Office of the Executive Director, nothing in this agreement is to be construed to allow wagering in Michigan on simulcast races at any location other than a licensed racetrack under this agreement where a race meeting licensee has been granted live race dates and a simulcast permit by the Michigan Gaming Control Board."

For out-of-state guest tracks, the document must include the following text: “To the extent that Guest or any of its Secondary Recipients is deemed to be a private wagering network and/or an advanced deposit wagering provider, the Guest and such Secondary Recipients, as the case may be, shall not accept or facilitate the acceptance of wagers either directly or through an agent, from any Michigan resident regardless as to the form of wager placement to include, but not limited to, telephone or computer assisted/generated wagering. In the case of computer assisted/generated wagers, this restriction applies to wagers originating from a computer located in Michigan. In addition, Guest and Secondary Recipients, as the case may be, shall include in their respective customer terms and conditions a prohibition for bettors to network their computers with out-of-state computers to circumvent this restriction. Guest and Secondary Recipients, as the case may be, shall block access to any and all incoming calls originating from a Michigan area code and/or from technologies, who transmissions originate in Michigan to include, but not limited to, cellular, cable, and/or satellite technology.”

3. Does the applicant request or plan to request permission to import live race meet signals during the term of the proposed 2023 racing meeting?

Yes No (if no, skip to Section III)

- a. Identify all Michigan entities that the applicant intends to contract with to import the entities’ live race meet signals. (Applicant must enclose a completed **Attachment H.**)
- b. Identify all out-of-state entities that the applicant intends to contract with to import the entities’ live race meet signals. (Label the required listing as **Attachment I.**)

The listing must include full legal name of business entity (host association), city, state, hub, and whether or not the entity is licensed in the jurisdiction that they are headquartered in. Provide copies of any State authorization letters with the executed contracts.

SECTION III - PARI-MUTUEL AND RACETRACK OPERATIONS

1. Does the applicant own or lease the racetrack at which the proposed race meet will be conducted?

- Own (if own, skip to question #2) Lease

If the racetrack is leased, attach a copy of the current lease agreement and/or documentation evidencing the legal right for the use of the premises on the specified race dates and simulcast application period. (Label the required lease documents as **Attachment J.**)

2. Has the applicant (or track licensee) made or intend to make any capital improvement(s) to the racetrack premises for the proposed race meet?

- Yes No (if no, skip to question #3)

If yes, attached a completed **Attachment K.**

Note: Capital improvement(s) do not include ordinary maintenance or other operating expenses.

3. Specify the totalisator company(s) responsible for providing totalisator services for the proposed race meet:

- | | | |
|---|----------------------|--------------|
| <input type="checkbox"/> Amtote International, Inc. | Delaware Corporation | LARA# 641262 |
| <input type="checkbox"/> Sportech Racing, LLC | Pennsylvania | LARA#B9463H |

_____ (Legal Name) _____ (State & Entity Type) _____ (MI LARA ID#)

4. Attach copies of all executed and signed contracts with totalisator companies that will be in effect during the proposed 2023 race meet. (Label the required contract(s) as **Attachment L.**)

5. Does the applicant request or plan to request permission to use a Third Party Facilitator (TPF) to facilitate wagering on live and simulcast racing during the term of the proposed race meeting?

- Yes No (if no, skip to question #6)

List each TPF under contract with the race meeting applicant:

6. Provide documentation (most recent inspection report and fire permit) that the racetrack is in compliance with local fire and safety ordinances, building codes, and any current orders of the MGCB Executive Director requiring improvements, additions, or corrections to the racetrack premises, fixtures, or equipment. (Label the documents as **Attachment M.**)

Is the racetrack in compliance?

- Yes (if yes, skip to question #8) No (complete question #7)

7. If the racetrack is not in compliance with any of the foregoing in #5, state what steps have been taken or are planned to be taken to bring the racetrack into compliance, and state expected date of full compliance.

If a municipality has cited the applicant or track licensee for fire, safety, or building code violations within the past year, attach copies of the citations and state whether the alleged violations are contested or admitted. If contested, explain the basis for contesting the alleged code violations, and attach any pleading or other documentation filed by the applicant or track licensee in answer to the alleged code violations. If admitted, state whether the alleged violation has been corrected. If not corrected, state expected date of correction. (Label documents as **Attachment N.**)

8. Describe in detail all security measures the applicant will provide to ensure the safety of all persons and horses on the grounds of the race meet, and to protect and preserve the integrity of all horse racing, pari-mutuel wagering, and simulcasting conducted at the proposed race meet. Also, describe in detail all pari-mutuel wagering monitoring including, but not limited to, tote security and tote system testing that has been completed. (Attach a completed **Attachment O.**)

9. Describe in detail all forms of straight and multiple pari-mutuel wagering and commission, (takeout) rates for each specific form of wager, to be offered to the public during the proposed race meet:

Wager	Take Out Rate	Wager	Take Out Rate
Win, Place, Show	%	Daily Double	%
Perfecta/Exacta	%	Pick 3	%
Trifecta	%	Pick 4	%
Superfecta	%	Pick 5	%
Tri-Superfecta	%	Pick 6	%
Twin Trifecta	%	Other:	%
Pentafecta	%	Other:	%
Quinella	%	Other:	%

10. Describe the applicant's financial capacity, past experience, and general business experience related to the conduct of live horse racing, simulcasting, and pari-mutuel wagering activities.

11. Specify the name of the bank depository, account, and specific account number(s) established by the applicant for deposit of funds due and payable to the horsemen's purse pools during the proposed race meet.

Banking Institution	City	Account Number	Description

12. Describe in detail the applicant's promotional and advertising plan as well as the plan's budget for the 2023 race meet to include opportunities for the sport of horse racing to continue to develop, to be supported by the local communities, and to attract newpatrons. (Label this document as **Attachment P.**)
13. Include name(s), address(es) and phone number(s) of all companies contracted to do business in restricted areas, including, but not limited to, photo finishing companies, voucher machines contractors, companies providing electric timing devices, etc. Include verification that they are authorized to do business in Michigan (current registration with LARA or copy of assumed name certificate from the county the business is physically located) and name of contact person/resident agent for each company. (Attach a completed **Attachment Q.**)

SECTION IV - REQUIRED NARRATIVE STATEMENTS

1. Evaluate the expected competitive effects, with respect to attendance, handle, and horse supply that the applicant's proposed 2023 race meeting will have among the other proposed race meets in the state.

2. State the approximate number and source(s) of horses needed for live racing dates and races requested by the applicant for its proposed 2023 race meet. Specify what other race meet(s) in and around the state have depended upon the described horse supply for their race meet(s). The applicant and each certified horsemen's organization under contract with an applicant for a 2023 race meet must demonstrate how the described horse supply will be available and adequate for the live racing dates requested for the applicant's proposed race meet(s). (Label document as **Attachment R1**.)

3. The applicant and each certified horsemen's organization under contract with an applicant for a 2023 race meet must propose a preliminary budget for purse awards, starter bonuses, live race day compensation, and track conversion costs or any other expenditure from the estimated horsemen's live and simulcast commission for the proposed 2023 race meet.
The proposed budget must include the following:
 - a. Projected purse levels per race day and the number of race days proposed;
 - b. Estimate the amount of starter bonuses or live race day compensation and explain the source of the funds; and
 - c. Estimate the horsemen's live and simulcast commission and show how it will cover projected expenditures.

Funding estimates may use the previous year's funding levels plus any funds projected to remain from 2022. (Label document as **Attachment R2**)

4. Provide evidence of continued community support for the applicant's proposed 2023 race meet. (Label documents as **Attachment S**.)

5. Provide the applicant's affidavit affirming the MGCB, Office of the Executive Director's race meet association's requirements as outlined in Attachment T. (Attach a completed **Attachment T**.)

Note: The application shall be in written form. Any information submitted as part of the application may also be in an electronic format so long as it is usable by the MGCB, Indian Gaming, Legal Affairs & Gaming Regulation Division (e.g. Word or Excel, if available in that format to the applicant) and only if approved in advance of its submission by the MGCB, Indian Gaming, Legal Affairs & Gaming Regulation Division.