

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 858
Finance

(Senator Simonaire)

State Racing Commission - Ejections from Race Tracks - Appeals

This bill authorizes a licensed racetrack employee to appeal an ejection by a racetrack licensee to the State Racing Commission. The State Racing Commission may refuse to hear an appeal if the ejection was connected with the suspension or termination of the employment of the licensed employee. The bill specifies the timeframe by which an appeal to the commission must be made. The State Racing Commission must conduct hearings in accordance with the Administrative Procedure Act and adopt regulations to implement the provisions of the bill.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures for the State Racing Commission for hiring court reporters for hearings. Based on five estimated hearings per year, expenditures increase by \$625 annually.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Racing Commission may (1) enter or investigate the office, track, or place of business of a licensee to ensure that the regulations of the commission are strictly complied with; (2) place an expert accountant or other individual in the office, track, or place of business of a licensee and require that the licensee pay the salary and expenses of the expert accountant or other individual; (3) require that an employee or official of the licensee be removed from the job; (4) require that a licensee keep financial records in the way that the commission determines; (5) administer oaths; and (6) issue a subpoena for the attendance of a witness to testify or to produce evidence.

Background: Horse racing is financed by the receipts from controlled legalized gambling on horses and is subject to extensive regulation. Since 1920, the State Racing Commission has regulated horse racing in the State and sought to protect and promote the public interest in all matters pertaining to horse racing and wagering.

The commission is responsible for regulating, with few exceptions, the conduct of all pari-mutuel wagering and other aspects of horse racing in the State. The commission (1) approves racing dates; (2) approves specific types of wagering and collects wagering taxes; (3) regulates the size of the purse and stake and the price of admission; (4) regulates the charge made for an article or service sold at the meets; and (5) operates a drug testing laboratory to protect the integrity of horse racing for the benefit of the betting public and competing jockeys.

Each individual, association, or corporation involved with horse racing must be licensed by the commission. The commission may suspend or revoke the license of a person engaged in racing within the State who violates the racing laws or commission rules and regulations. The commission licenses owners, trainers, assistant trainers, jockeys, veterinarians, farriers, stable employees, mutuel employees, track employees, vendors, caterer employees, and maintenance employees. Any person engaged in racing in Maryland under an assumed name must register with the commission for permission to use the name.

The State's Administrative Procedure Act governs resolutions of disputes through administrative proceedings.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Office of Administrative Hearings; Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2013
ncs/rhh

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