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SENATE BILL 616

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Michael S. Sanchez

AN ACT

**RELATING TO HORSE RACING; PROVIDING FOR REHABILITATION OF A
PERSON WHO OTHERWISE COULD NOT BE LICENSED TO WORK ON A NEW
MEXICO RACETRACK; AMENDING A SECTION OF THE NMSA 1978.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 60-1-5 NMSA 1978 (being Laws 1973,
Chapter 323, Section 3, as amended) is amended to read:**

"60-1-5. LICENSES--QUALIFICATIONS. --

**A. All persons engaged in racing, or employed on a
licensee's premises by those engaged in racing, or operating a
horse racing meeting, and persons operating concessions for or
under authority of any licensee or employed by the
concessionaire shall be licensed by the state racing
commission and shall be fingerprinted.**

B. Racetracks shall be licensed each calendar

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1 year.

2 C. The state racing commission may provide by
3 regulation for the issuance of licenses for terms not to
4 exceed five years for horse owners, trainers, jockeys and
5 their employees; veterinarians; and employees of a racetrack.
6 Fees for licenses under this subsection, not to exceed one
7 hundred dollars (\$100), shall be set by regulation of the
8 commission.

9 D. The state racing commission shall not issue or
10 renew a license and shall revoke or suspend any license issued
11 pursuant to this section if, after due consideration for the
12 proper protection of public health, safety, morals, good order
13 and the general welfare of the inhabitants of this state, it
14 finds that the issuance of the license or the holding of the
15 license is inconsistent with the public interest. The burden
16 of proving his qualifications to receive and hold a license
17 under this section shall be at all times on the applicant or
18 licensee. The state racing commission shall establish by
19 regulation such qualifications for licenses to be issued
20 pursuant to this section as it deems in the public interest.

21 E. Any person who is addicted to or uses narcotic
22 drugs or who has been convicted of a violation of any federal
23 or state narcotics law shall not be licensed on any New Mexico
24 racetrack, unless sufficient evidence of rehabilitation is
25 presented to the state racing commission.

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1 F. If the state racing commission finds that any
2 person has done any of the following acts, the person shall
3 not be licensed by the commission for a period of five years
4 from the date of the finding that the person, for the purpose
5 of stimulating or depressing a horse or affecting its speed or
6 stamina in a race or workout:

7 (1) administered, attempted to administer or
8 conspired with others to administer to any horse, in or prior
9 to a race, any dope, drug, chemical agent, stimulant or
10 depressant, either internally, externally or hypodermically;

11 (2) attempted to use, used or conspired with
12 others to use in any race any electrical or mechanical buzzer,
13 goad, device, implement or instrument, excepting only the
14 ordinary whip and spur, or acted to sponge the nostrils or
15 windpipe of a racehorse; or

16 (3) used any method, injurious or otherwise,
17 for the purpose of stimulating or depressing a horse or
18 affecting its speed or stamina in a race or workout.

19 G. The validity of any license issued by the state
20 racing commission shall be conditioned upon the licensee not
21 engaging in racing, operating a horse race meeting or
22 participating as an employee or concessionaire at any
23 racetrack in New Mexico operating or permitting to be operated
24 an organized wagering system not licensed by the commission.

25 Any licensee not complying with that condition shall, after

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1 reasonable notice and hearing, have his license revoked, and
2 the license shall not be reissued until the expiration of one
3 year from the date of revocation. "

4 Section 2. EFFECTIVE DATE. -- The effective date of the
5 provisions of this act is July 1, 2001.
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