

1 SENATE BILL 116

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

3 INTRODUCED BY

4 Mary Kay Papen

5  
6  
7  
8  
9  
10 AN ACT

11 RELATING TO HORSE RACING; PERMITTING RACETRACK LICENSEES TO  
12 EJECT OR EXCLUDE FROM THEIR LICENSED PREMISES ANY PERSON WHO  
13 ADMINISTERS A PERFORMANCE-ALTERING SUBSTANCE TO A RACEHORSE;  
14 PROVIDING CIVIL IMMUNITY FOR LAWFUL EXCLUSION.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. A new section of the Horse Racing Act is  
18 enacted to read:

19 "[NEW MATERIAL] RACETRACK LICENSEES--POWER TO EJECT OR  
20 EXCLUDE--IMMUNITY FROM CIVIL SUIT.--

21 A. A racetrack licensee may eject or exclude from  
22 the racetrack licensee's licensed premises any person whose  
23 occupational license has been suspended or revoked by the  
24 stewards or the commission for administering a performance-  
25 altering substance as provided in Subsection A of Section

.195842.1

underscoring material = new  
~~[bracketed material] = delete~~

underscoring material = new  
~~[bracketed material] = delete~~

1 60-1A-28 NMSA 1978.

2 B. A racetrack licensee that ejects or excludes a  
3 person from the racetrack licensee's licensed premises pursuant  
4 to Subsection A of this section may prevent that person from  
5 reentering the licensed premises unless the suspension or  
6 revocation is reversed by the stewards or overturned by the  
7 commission or a court of competent jurisdiction.

8 C. Nothing in this section shall be construed to  
9 limit a racetrack licensee's power to eject or exclude a person  
10 from the racetrack licensee's licensed premises for any other  
11 lawful reason.

12 D. A racetrack licensee shall not be liable to any  
13 person for ejecting or excluding that person from the racetrack  
14 licensee's licensed premises pursuant to this section."