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SENATE BILL 501

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

George K. Munoz

AN ACT

RELATING TO HORSE RACING; REQUIRING AN APPLICANT FOR A  
RACETRACK LICENSE TO PROVIDE THE EXPECTED LOCATIONS THE  
APPLICANT DESIRES TO CONDUCT A HORSE RACE OR RACE MEET.

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

**SECTION 1.** Section 60-1A-4 NMSA 1978 (being Laws 2007,  
Chapter 39, Section 4) is amended to read:

"60-1A-4. COMMISSION--POWERS--DUTIES.--

A. The commission may:

(1) grant, deny, suspend or revoke  
occupational licenses, secondary licenses and racetrack  
licenses, establish the terms for each classification of a  
racetrack license and set fees for submitting an application  
for a license;

(2) exclude or compel the exclusion of a

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1 person from all horse racetracks [~~who~~] whom the commission  
2 deems detrimental to the best interests of horse racing or who  
3 willfully violates the Horse Racing Act, a rule or order of the  
4 commission or a law of the United States or New Mexico;

5 (3) compel the production of documents, books  
6 and tangible items, including documents showing the receipts  
7 and disbursements of a racetrack licensee;

8 (4) investigate the operations of a licensee  
9 and place a designated representative on the licensed premises  
10 of a racetrack licensee for the purpose of observing compliance  
11 with the Horse Racing Act and rules or orders of the  
12 commission;

13 (5) employ staff as required to administer the  
14 Horse Racing Act and employ staff with basic law enforcement  
15 training to be stationed at racetracks to maintain peace and  
16 order, enforce the law, conduct investigations and enforce the  
17 Horse Racing Act or rules or orders of the commission; provided  
18 that staff employed with law enforcement training may not carry  
19 firearms or other deadly weapons while on duty for the  
20 commission;

21 (6) summon witnesses;

22 (7) administer oaths for the effective  
23 discharge of the commission's authority; and

24 (8) appoint a hearing officer to conduct  
25 hearings required by the Horse Racing Act or a rule adopted

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1 pursuant to that act.

2 B. The commission shall:

3 (1) make rules to hold, conduct and operate  
4 all race meets and horse races held in the state and to  
5 identify and assign racing dates;

6 (2) require the following information for each  
7 applicant on an application for a license:

8 (a) the full name, address and contact  
9 information of the applicant, and if the applicant is a  
10 corporation, the name of the state of incorporation and the  
11 names, addresses and contact information of officers, members  
12 of the board of directors and managers of the corporation;

13 (b) the [~~exact location~~] expected  
14 locations at which the applicant desires to conduct a horse  
15 race or race meet;

16 (c) whether the horse racetrack is owned  
17 or leased, and, if leased, the name and residence of the fee  
18 owner of the land or, if the owner is a corporation, the names  
19 of the directors and stockholders;

20 (d) a statement of the assets and  
21 liabilities of the person or corporation making the  
22 application;

23 (e) the kind of racing to be conducted;

24 (f) the beginning and ending dates  
25 desired for the race meet and the days during that time period

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1 when horse races are to be scheduled; and

2 (g) other information determined by the  
3 commission to be necessary to assess the potential for success  
4 of the applicant;

5 (3) require a statement under oath by the  
6 applicant that the information on the application is true;

7 (4) supervise and oversee the making of pari-  
8 mutuel pools and the distribution from those pools;

9 (5) make on-site inspections of horse  
10 racetracks in New Mexico at reasonable intervals;

11 (6) approve all improvements proposed to be  
12 completed on the licensed premises of a horse racetrack,  
13 including extensions, additions or improvements of buildings,  
14 stables or tracks;

15 (7) monitor and oversee the pari-mutuel  
16 machines and equipment at all horse races or race meets held in  
17 the state;

18 (8) approve contracts for simulcasting, pari-  
19 mutuel wagering and capital improvements funded pursuant to  
20 Section 60-1A-20 NMSA 1978 entered into by horse racetracks;

21 (9) regulate the size of the purses to be  
22 offered at horse races run in the state;

23 (10) require background investigations of  
24 employees of a racetrack licensee as set forth in the rules of  
25 the commission; ~~and~~

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1                    (11) approve requests from a licensed premises  
2 to transfer races, racing days or race meets to another  
3 licensed premises; provided that the purses for the transferred  
4 races, racing days or race meets are no less than they would  
5 have been if the transfer had not occurred and the transferred  
6 races, racing days or race meets are simulcast to the licensed  
7 premises to which the races, racing days or race meets were  
8 originally allotted; and

9                    [~~(11)~~] (12) provide an annual report to the  
10 governor regarding the commission's administration of horse  
11 racing in the state."