

1 **permit.**

2 (a) The Racing Commission shall promptly consider any
3 application for a license or permit, as the case may be. Based upon
4 such application and all other information before it, the Racing
5 Commission shall make and enter an order either approving or
6 denying the application. The application may be denied for any
7 reason specified in subsection (b) of this section. If an
8 application for a license is approved, the Racing Commission shall
9 issue a license to conduct a horse or dog race meeting and shall
10 designate on the face of the license the kind or type of horse or
11 dog racing for which the same is issued, the racing association to
12 which the same is issued, the dates upon which the horse or dog
13 race meeting is to be held or conducted (which may be any weekdays,
14 or week-nights, including Sundays), the location of the horse or
15 dog racetrack, place or enclosure where the horse or dog race
16 meeting is to be held or conducted and other information as the
17 Racing Commission shall consider proper. If an application for a
18 permit is approved, the Racing Commission shall issue a permit and
19 shall designate on the face of the permit such information as the
20 Racing Commission ~~shall consider~~ considers proper.

21 (b) The Racing Commission may deny the application and refuse
22 to issue the license or permit, as the case may be, which denial
23 and refusal ~~shall be~~ is final and conclusive unless a hearing is
24 demanded in accordance with the provisions of section sixteen of
25 this article, if the Racing Commission finds that the applicant

1 individually, if an individual, or the partners or members, if a
2 partnership, firm or association, or the owners and directors, if
3 a corporation:

4 (1) Has knowingly made false statement of a material fact in
5 the application or has knowingly failed to disclose any information
6 called for in the application;

7 (2) Is or has been guilty of any corrupt or fraudulent act,
8 practice or conduct in connection with ~~any~~ a horse or dog race
9 meeting in this or any other state;

10 (3) Has been convicted, within ten years prior to the date of
11 the application, of an offense which under the law of this state,
12 of any other state or of the United States of America, shall
13 constitute a felony or a crime involving moral turpitude;

14 (4) Has failed to comply with the provisions of this article
15 or any reasonable rules of the Racing Commission;

16 (5) Has had a license to hold or conduct a horse or dog race
17 meeting or a permit to participate therein denied for just cause,
18 suspended or revoked in any other state;

19 (6) Has defaulted in the payment of any obligation or debt due
20 to this state under the provisions of this article;

21 (7) Is, if a corporation, neither incorporated under the laws
22 of this state nor qualified to do business within this state;

23 (8) In the case of an application for a license, has failed to
24 furnish bond or other adequate security, if the same is required by
25 the Racing Commission under the provisions of section seven of this

1 article;

2 (9) In the case of an application for a permit, is unqualified
3 to perform the duties required for the permit sought; or

4 (10) In the case of an application for a permit, is, for just
5 cause, determined to be undesirable to perform the duties required
6 of the applicant.

7 (c) In issuing licenses and fixing dates for horse or dog
8 race meetings at the various horse racetracks and dog racetracks in
9 this state, the Racing Commission shall consider the horse racing
10 circuits and dog racing circuits with which the horse racetracks
11 and dog racetracks in this state are associated or contiguous to
12 and shall also consider dates which are calculated to increase the
13 tax revenues accruing from horse racing and dog racing.

14 (d) A license issued under the provisions of this article is
15 neither transferable nor assignable to any other racing association
16 and may not permit the holding or conducting of a horse or dog race
17 meeting at any horse or dog racetrack, place or enclosure not
18 specified thereon. However, if the specified horse or dog
19 racetrack, place or enclosure becomes unsuitable for the horse or
20 dog race meeting because of flood, fire or other catastrophe, or
21 cannot be used for any reason, the Racing Commission may, upon
22 application, authorize the horse or dog race meeting, or any
23 remaining portion thereof, to be conducted at any other racetrack,
24 place or enclosure available for that purpose, provided that the
25 owner of the racetrack, place or enclosure willingly consents to

1 the use. ~~thereof.~~

2 (e) No type of horse racing or dog racing shall be conducted
3 by a licensee at any race meeting other than that type for which a
4 license was issued.

5 (f) Each permit issued under the provisions of this section
6 shall be for ~~the period ending the thirty-first day of December of~~
7 ~~the year for which it was issued~~ a period of one year, unless
8 approved otherwise by the Commission. Effective January 1, 2012,
9 each permit shall be renewed according to the following schedule:
10 Permits issued to persons whose date of birth is January 1 through
11 and including April 30 shall be renewed no later than April 30 of
12 each year; permits issued to persons whose date of birth is May 1
13 through and including August 31 shall be renewed no later than
14 August 31 of each year; and permits issued to persons whose date of
15 birth is September 1 through and including December 31 shall be
16 renewed no later than December 31 of each year. ~~and~~ Each permit
17 shall be valid at all horse or dog race meetings during the period
18 for which it was issued unless it be sooner suspended or revoked in
19 accordance with the provisions of this article. A permit issued
20 under the provisions of this article is neither transferable nor
21 assignable to any other person.

22 (g) The Racing Commission shall propose rules for legislative
23 approval in accordance with the provisions of article three,
24 chapter twenty-nine-a of this code which establish the criteria for
25 the approval or denial of a license or permit.

NOTE: The purpose of this bill is to stagger the renewal dates of permits issued by the Racing Commission so that these expire on the birth date of the permittee.

Strike-throughs indicate language that would be stricken from the present law and underscoring indicates new language that would be added.