

CHAPTER 17

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 98-1017

BY REPRESENTATIVES Leyba, Clarke, Mace, Reeser, Taylor, and Young;
also SENATOR Powers.

AN ACT

CONCERNING CLARIFICATION OF THE COLORADO RACING COMMISSION'S AUTHORITY REGARDING
REGULATION OF PARTICIPATION IN RACE MEETS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-60-501 (2) (a), Colorado Revised Statutes, is amended to read:

12-60-501. Regulation of race meets and racing-related businesses. (2) (a) In particular, the commission shall, at its own expense, regulate the operations of pari-mutuel machines and equipment, the operations of all money rooms, accounting rooms, and sellers' and cashiers' windows, and the weighing of jockeys and of greyhounds, and shall take or cause to be taken saliva, urine, blood, or other body fluid samples or biopsy or necropsy specimens from horses and greyhounds selected by the commission or its employees on a random ~~statistically valid~~ basis at race meets provided for under this article or when concerns are raised as to a particular animal, including but not limited to the winner of a race, and shall test and determine such samples or specimens or cause such samples or specimens to be tested and determined. For such purposes, the commission, at its expense and in addition to other employees, shall employ or contract with competent veterinary doctors, accountants, chemists, and other persons necessary to supervise the conduct of race meets and to ascertain that this article and the rules of the commission are strictly complied with. The commission shall also seek innovative and efficient methods of testing animals for prohibited drugs and medication, while ensuring animal safety and maintaining the integrity of racing. Through its bidding process, the commission shall invite laboratories to include proposals for testing procedures and methods that would maintain or improve the effectiveness of test results and minimize testing cost incurred by the state or the racing industry.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. 12-60-503 (1) and (2) (a), Colorado Revised Statutes, are amended to read:

12-60-503. Rules of the commission - licensing. (1) (a) The commission shall make reasonable rules for the control, supervision, fingerprinting, identification, and direction of applicants, REGISTRANTS, and licensees, including rules providing for the supervising, disciplining, suspending, fining, and barring from racing of all persons required to be licensed OR REGISTERED by this article and for the holding, conducting, and operating of all races, race meets, racetracks, and in-state simulcast facilities conducted pursuant to this article. It shall announce the place, time, number of races per day, duration of race meets, as provided in section 12-60-603, and types of race meets.

(b) THE COMMISSION MAY ISSUE A TEMPORARY OR CONDITIONAL LICENSE OR REGISTRATION FOR UP TO A MAXIMUM OF NINETY DAYS FOR ANY LICENSE OR REGISTRATION AUTHORIZED UNDER THIS ARTICLE.

(2) (a) Every person holding a license OR REGISTRATION under this article, every person operating an in-state simulcast facility, and every owner or trainer of any horse or greyhound licensed to enter any racing contest under this article shall comply with all rules and orders issued by the commission. It is unlawful for any person to work upon the premises of a racetrack without first obtaining from the commission a license OR REGISTRATION for such activity. The commission may waive this licensing OR REGISTRATION requirement for such occupational categories as the commission, in its discretion, deems unnecessary to be licensed or registered. This licensing OR REGISTRATION requirement does not apply to the members of the commission or its employees or to persons whose only participation is individually as spectator or bettor. It is unlawful for any person who owns or leases a racing animal to allow such animal to race in this state without first obtaining an owner's license OR REGISTRATION from the commission, as prescribed by the rules of the commission. The commission in its discretion may extend the validity of any license issued for a period not to exceed three years, and the fee for such license shall be increased proportionately; EXCEPT THAT NO TEMPORARY OR CONDITIONAL LICENSE OR REGISTRATION SHALL BE ISSUED FOR A PERIOD LONGER THAN NINETY DAYS. It is unlawful for any person to hold any race meet with pari-mutuel wagering without obtaining a license therefor. It is unlawful for any person to operate an in-state simulcast facility unless that person is a licensee that has been licensed within the year to hold a race meet or is a licensee that has a written simulcast racing agreement with the in-state host track or out-of-state host track from which the simulcast race is broadcast and has filed a copy of the written simulcast racing agreement with the commission prior to operation as an in-state simulcast facility.

SECTION 3. 12-60-506 (1), Colorado Revised Statutes, is amended to read:

12-60-506. Application - fee - waiver of confidentiality. (1) In connection with the issuance of licenses OR REGISTRATIONS, the commission shall establish investigation and application fees. ~~for the purpose of paying for the administrative costs of the commission and for paying for any background investigations of applicants and others. These fees may vary depending on the type of application, the complexity of the investigation, or the costs of the commission in reviewing the matters involved.~~

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 23, 1998