1	State of Arkansas	A D'11		
2	89th General Assembly	A Bill		
3	Regular Session, 2013		SENATE BILL 329	
4				
5	By: Senators B. Sample, K. Ing	gram		
6	By: Representatives Vines, Fer	guson		
7				
8	For An Act To Be Entitled			
9	AN ACT TO AMEND THE POWERS AND DUTIES OF THE ARKANSAS			
10	RACING COMMISSION; AND FOR OTHER PURPOSES.			
11				
12				
13		Subtitle		
14	TO AMI	END THE POWERS AND DUTIES OF THE		
15	ARKANS	SAS RACING COMMISSION.		
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18	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:	
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20	SECTION 1. Arkansas Code § 23-110-204(a)(3) and (4), concerning			
21	licenses issued by the	Arkansas Racing Commission, are ame	nded to read as	
22	follows:			
23	(3) Issue	licenses to <del>horse owners, horse tra</del>	iners, jockeys, and	
24	<del>jockey agent;</del>			
25	<u>(A)</u>	An apprentice jockey;		
26	<u>(B)</u>	An assistant trainer;		
27	<u>(C)</u>	An attendant;		
28	<u>(D)</u>	A franchise holder's employee;		
29	<u>(E)</u>	A horse owner;		
30	<u>(F)</u>	A horse trainer;		
31	<u>(G)</u>	A horseshoer;		
32	<u>(H)</u>	A jockey agent;		
33	<u>(I)</u>	A person riding horses on the groun	ds of the licensed	
34	racetrack, including an	exercise rider, a jockey, and an o	utrider;	
35	<u>(J)</u>	A stable employee or contractor, in	cluding a groom and	
36	<u>a hotwalker;</u>			

1	(K) A valet;		
2	(L) A veterinarian;		
3	(M) A veterinarian assistant; and		
4	(N) An authorized agent, a vendor, contractor, or other		
5	person employed or involved with the care of horses or business of horse		
6	racing on the grounds of the licensed racetrack;		
7	(4) Establish by rule the license fees, not to exceed one hundred		
8	fifty dollars ( $\$150$ ) per applicant, for <u>a license under subdivision (a)(3) of</u>		
9	this section horse owners, horse trainers, jockeys, and jockey agents;		
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11	SECTION 2. Arkansas Code § 23-110-204(b), concerning the authority of		
12	the Arkansas Racing Commission, is amended to read as follows:		
13	(b)(1) The commission shall have full, complete, and sole power and		
14	authority to promulgate rules and orders:		
15	(A) Impose fines in an amount not to exceed one hundred		
16	thousand dollars (\$100,000) per violation of a rule of the commission;		
17	(B) Issue orders;		
18	(C) Order the forfeiture of purse money won by a		
19	disqualified horse;		
20	(D) and prescribe Prescribe conditions under which horse		
21	racing shall be conducted by a franchise holder;		
22	(E) Promulgate rules;		
23	(F) Redistribute forfeited purse money; and		
24	(G) Suspend or revoke licenses.		
25	(2) but the power and authority so granted The authority granted		
26	to the commission under this subsection shall be exercised by the commission		
27	in a reasonable manner.		
28	(3) and the The holder of any $\underline{a}$ franchise, or any $\underline{a}$ taxpayer,		
29	shall have redress may appeal an action of the commission to the Pulaski		
30	County Circuit Court <del>for any wrong committed by the commission in the</del>		
31	exercise of the power and authority granted in this chapter.		
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33	SECTION 3. Arkansas Code § 23-111-203(b)(3) and (4), concerning the		
34	licenses issued by the Arkansas Racing Commission, are amended to read as		
35	follows:		
36	(3) Issue licenses to greyhound owners and greyhound trainers:		

1	(A) An attendant;		
2	(B) A franchise holder's employee;		
3	(C) A greyhound handler;		
4	(D) A kennel employee;		
5	(E) A kennel helper;		
6	(F) A greyhound owner;		
7	(G) A greyhound trainer;		
8	(H) An assistant greyhound trainer;		
9	(I) A veterinarian;		
10	(J) A veterinarian assistant; and		
11	(K) An authorized agent, contractor, a vendor, or other		
12	person employed or involved with the care of greyhounds or greyhound racing		
13	on the grounds of the licensed racetrack;		
14	(4) Establish by rule the license fees, not to exceed one hundred		
15	fifty dollars ( $$150$ ) per applicant, for <u>a license issued under subdivision</u>		
16	(b)(3) of this section greyhound owners and greyhound trainers;		
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18	SECTION 4. Arkansas Code § 23-111-203(b)(7), concerning the authority		
19	of the Arkansas Racing Commission, is amended to read as follows:		
20	(7) $\underline{(A)}$ Take such other action, not inconsistent with law, as it		
21	may deem necessary or desirable to supervise and regulate and to effectively		
22	control in the public interest greyhound racing in the State of Arkansas $_{f  au}$		
23	including without limitation:		
24	(i) Imposing fines in an amount not to exceed one		
25	hundred thousand dollars (\$100,000) per violation of a rule of the		
26	<pre>commission;</pre>		
27	(ii) Issuing orders;		
28	(iii) Ordering the forfeiture of purse money won by		
29	a disqualified greyhound;		
30	(iv) Prescribing conditions under which greyhound		
31	racing shall be conducted by a franchise holder;		
32	(v) Promulgating rules;		
33	(vi) Redistributing forfeited purse money; and		
34	(vii) Suspending or revoking licenses.		
35	(B) The commission shall exercise its authority under this		
36	subsection in a reasonable manner.		

1	(C) The holder of a franchise or a taxpayer may appeal an
2	action of the commission to the Pulaski County Circuit Court.
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4	SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
5	General Assembly that the Arkansas Racing Commission's authority to impose
6	certain fees and penalties will expire on July 1, 2013 unless specific
7	statutory authority to assess such fees and penalties is enacted and becomes
8	law; and the Arkansas Racing Commission's power to assess such fees and
9	penalties is imperative to the Arkansas Racing Commission's ability to
10	effectively supervise and regulate, in the public interest, horse and
11	greyhound racing in Arkansas. Therefore, an emergency is hereby declared to
12	exist and this Act being necessary for the immediate preservation of the
13	public peace, health, and safety shall become effective on July 1, 2013.
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