

HORSE RACING LICENSES

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House Bill 5881

Sponsor: Rep. Larry Julian

Committee: Government Operations

Complete to 5-17-04

A SUMMARY OF HOUSE BILL 5881 AS INTRODUCED 5-12-04

The Horse Racing Law of 1995 requires the racing commissioner to issue a track license to a person who maintains or operates a racetrack and race meeting license to a person who conducts live horse racing, simulcasting, and pari-mutuel wagering on live and simulcast horse races. The bill would require the racing commissioner to review license applications in a timely manner, and submit a report to the legislature its actions on license applications.

Timely Review Required

The bill would require the racing commissioner to approve or deny an application for a track license submitted after the bill's effective date within six months after receiving a completed application. If the application is incomplete, the racing commissioner would have to notify the applicant within 10 days of receiving it and describe the deficiency and whatever is necessary to complete the application.

If the commissioner fails to take action on the application within the required time, the applicant's license fee would be returned and the fee for the next year (if the application is later approved) would be discounted by 15 percent. The racing commissioner would be prohibited from reviewing an application with a returned fee in a manner that differs from the review process employed for other applications.

The act requires the racing commissioner to grant or deny an application for a race meeting license for one year by November 1 of the previous year. The bill would add that if the application for a race meeting license is an applicant's first application, is filed after the bill's effective date, and not granted or denied by November 1, the racing commissioner would be required to return the applicant's application fee and discount the fee for next year by 15 percent. Again, the racing commissioner would be prohibited from reviewing an application with a returned fee in a manner that differs from the review process employed for other applications

Legislative Report

On January 31 of each year, beginning in 2005, the racing commissioner would be required to submit a report to the standing committees and appropriations subcommittees of the House of Representatives and Senate dealing with agriculture containing the following for track license applications in the preceding calendar year: (1) the number of track license applications processed and not processed within the required time; (2) the average time to process applications after the time required; (3) the number of applications denied, and reasons for the denial; (4) the number of applications for which additional information was requested, and the average time to fulfill a request; and (5) the amount of application fees returned.

In addition, the racing commissioner would also have to report information on race meeting applications in the preceding calendar, including: (1) the number of applications processed and not processed within the required time; (2) the number of applications denied, including reasons for denial; and (3) the amount of application fees returned.

FISCAL IMPACT:

This bill would not have a fiscal impact on the State or on local governmental units.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.