

# HOUSE BILL No. 5103

August 8, 2007, Introduced by Rep. Hune and referred to the Committee on Regulatory Reform.

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 10 (MCL 431.310), as amended by 2000 PA 164.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 10. (1) A person desiring to conduct a thoroughbred,  
2 standardbred, quarter horse, Appaloosa, American paint horse, or  
3 Arabian race meeting, or a combination of these race meetings, with  
4 pari-mutuel wagering on the results of live and simulcast horse  
5 races pursuant to this act shall apply each year to the racing  
6 commissioner for a race meeting license in the manner and form  
7 required by the racing commissioner. ~~The~~**AN** application **TO CONDUCT**  
8 **A RACE MEETING OTHER THAN A THOROUGHBRED RACE MEETING** shall be  
9 filed with the racing commissioner before September 1 of the

1 preceding year. ~~except that applications for 1999 racing dates may~~  
2 ~~be filed at any time.~~ **AN APPLICATION TO CONDUCT A THOROUGHBRED RACE**  
3 **MEETING SHALL BE FILED WITH THE COMMISSIONER BEFORE FEBRUARY 1 OF**  
4 **THE YEAR IN WHICH THE MEETING WILL BE CONDUCTED.** The application,  
5 after being filed, shall be made available for public inspection  
6 during regular business hours. The application shall be in writing  
7 and shall give the name and address of the applicant, and, if the  
8 applicant is a corporation or partnership, shall state the place of  
9 the applicant's incorporation or partnership and the names and  
10 addresses of all corporate directors, officers, shareholders, and  
11 partners. The application shall also do all of the following:

12 (a) Specify the licensed racetrack at which the proposed race  
13 meeting will be held.

14 (b) Specify whether the applicant requests or will request to  
15 conduct simulcasting at the proposed race meeting and, if so,  
16 demonstrate the applicant's ability to conduct simulcasting in  
17 accordance with this act.

18 (c) Specify the horse breed for which the applicant desires to  
19 conduct live racing at the proposed race meeting, and the days on  
20 which the applicant proposes to conduct live horse racing at the  
21 race meeting.

22 (d) Specify the time period during which the applicant  
23 requests to be licensed during the calendar year immediately  
24 following the date of application.

25 (e) Demonstrate to the racing commissioner that the applicant  
26 and all persons associated with the applicant who hold any  
27 beneficial or ownership interest in the business activities of the

1 applicant or who have power or ability to influence or control the  
2 business decisions or actions of the applicant satisfy all of the  
3 following requirements:

4 (i) Are persons of good character, honesty, and integrity.

5 (ii) Possess sufficient financial resources and business  
6 ability and experience to conduct the proposed race meeting.

7 (iii) Do not pose a threat to the public interest of the state  
8 or to the security and integrity of horse racing or pari-mutuel  
9 wagering on the results of horse races in the state.

10 (f) Provide any other information required by the rules  
11 promulgated under this act or by the racing commissioner.

12 (2) Upon the filing of the application for a race meeting  
13 license, the racing commissioner shall conduct an investigation of  
14 the applicant and the application to determine whether the  
15 applicant, application, and proposed race meeting comply with the  
16 licensing requirements under this act and the rules promulgated  
17 under this act. Unless a different agreement is reached by all the  
18 race meeting licensees in a city area, a race meeting licensee  
19 shall not conduct a live thoroughbred horse race after 6:45 p.m. on  
20 any day except Sunday. Unless a different agreement is reached by  
21 all the race meeting licensees in a city area, a race meeting  
22 licensee shall not conduct a live standardbred horse race before  
23 6:45 p.m. on any day except Sunday. Notwithstanding the 6:45 p.m.  
24 time restrictions, the commissioner, upon request by a race meeting  
25 licensee, may grant to the race meeting licensee a race meeting  
26 license authorizing any of the following:

27 (a) The licensee to conduct live horse racing programs that

1 would otherwise be prevented by the 6:45 p.m. time restriction, if  
2 no other race meeting in a city area is licensed or authorized to  
3 conduct live horse racing at the same time the licensee proposes to  
4 conduct the requested live horse racing programs.

5 (b) Waiver of the 6:45 p.m. time restriction pursuant to the  
6 written agreement of all race meeting licensees in the city area.

7 (c) The licensee to conduct live horse racing programs after  
8 6:45 p.m., if the licensee is not in a city area and is 75 miles or  
9 more from the nearest race meeting licensee authorized to conduct  
10 live horse racing.