

HORSE RACING LAW OF 1995 (EXCERPT)
Act 279 of 1995

431.314 Grant or denial of application for race meeting license; conditions for simulcast authorization; charitable organization; imposition of fine or revocation or suspension of license; notice; appeal; maintenance of account for deposit of money.

Sec. 14.

(1) Before November 1 of the year preceding the year for which applications are made, the racing commissioner shall grant or deny each application for a race meeting license, allocate or deny the dates, for which application has been made, on which pari-mutuel wagering on live races may be conducted at each licensed race meeting in this state, and shall also determine whether the applicant may simulcast under section 18 during the calendar year for which the license is issued. The racing commissioner may grant a race meeting license for any time period up to 1 year during which the licensee may conduct live and simulcast horse races with pari-mutuel wagering on the results of the races.

(2) Subject to section 12(4), all simulcasting authorized by the racing commissioner must be conditioned on the holder of the license conducting not fewer than 8 live horse races on each live racing date allocated in the holder's race meeting license, unless this requirement is waived in writing by both the racing commissioner and the certified horsemen's organization with which the licensee has contracted.

(3) The racing commissioner shall not issue a race meeting license to an organization organized for a charitable purpose or organized for the purpose of distributing its profits or income to charitable organizations.

(4) Except as provided in section 12(4), (5), and (6), if after the issuance of a race meeting license the racing commissioner determines on further investigation that the holder of a race meeting license has not met, or will be unable to meet, the requirements of the license, the racing commissioner may impose a fine or suspend or revoke the race meeting license, or both, for all or part of the remainder of the time period for which the license was granted. Before making the required determination to impose a fine or suspend or revoke a race meeting license under this subsection, the racing commissioner shall consider whether the race meeting licensee's inability or failure to meet the requirements of its license is due to a cause beyond the control of the race meeting licensee.

(5) Any action taken by the racing commissioner under subsection (4) becomes effective 10 days after the holder of the race meeting license receives written notice unless the commissioner finds that the public health, safety, or welfare requires emergency action and immediate effect of the commissioner's order.

(6) A denial of a race meeting license under subsection (3) may be appealed to the circuit court for judicial review under section 631 of the revised judicature act of 1961, 1961 PA 236, MCL 600.631. A suspension or revocation of a race meeting license may be appealed under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(7) Each applicant issued a race meeting license shall maintain an interest bearing account used exclusively to deposit all money due to horsemen's purse pools under this act. All money due to this account must be deposited within a reasonable time after receipt by the race meeting licensee. The name of the depository and the identification number of the account must be designated in each race meeting license application and all interest earned by the account must be credited to the purse pool and deposited in the account.

History: 1995, Act 279, Imd. Eff. Jan. 9, 1996 ;-- Am. 1998, Act 408, Imd. Eff. Dec. 21, 1998 ;-- Am. 2016, Act 271, Imd. Eff. July 1, 2016