

## No. 210

## AN ACT

SB 923

Amending the act of December 11, 1967 (P.L.707), entitled "An act providing for and regulating thoroughbred horse racing with pari-mutuel wagering on the results thereof, creating the State Horse Racing Commission as an independent administrative commission and defining its powers and duties; providing for the establishment and operation of thoroughbred horse racing plants; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," authorizing additional corporations and the employment of security personnel and defining their powers and duties, authorizing the State Horse Racing Commission and licensed associations to refuse admittance to or eject persons from race tracks, providing for appeals by such persons and providing for a penalty.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5, act of December 11, 1967 (P.L.707), entitled "An act providing for and regulating thoroughbred horse racing with pari-mutuel wagering on the results thereof, creating the State Horse Racing Commission as an independent administrative commission and defining its powers and duties; providing for the establishment and operation of thoroughbred horse racing plants; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," is amended, and said act is also amended by adding a new section to read:

Section 5. Pari-Mutuel Betting at Thoroughbred Horse Races.—No more than [~~four~~] ~~six~~ corporations shall be licensed by the State Horse Racing Commission in any one year to conduct a pari-mutuel meet or meets. No corporation licensed to conduct harness racing with pari-mutuel wagering under and pursuant to the act of December 22, 1959 (P.L.1978), as amended, shall be licensed to conduct thoroughbred horse racing with pari-mutuel wagering pursuant to this act. No corporation shall be licensed to conduct thoroughbred horse racing for more than one hundred days in any calendar year. Said pari-mutuel betting conducted at such meeting shall be under the general supervision and control of the State Horse Racing Commission which shall make rules regulating the conduct of such pari-mutuel betting in accordance with the provisions of this act. The Department of Revenue is charged with the financial administration of pari-mutuel betting as prescribed in this act and as supplemented by the rules and regulations of the State Horse Racing Commission. The Department of Revenue shall have authority to prescribe the forms and the system of accounting to be employed, and through its representatives

shall, at all times, have power of access to, and examination of, any equipment relating to such betting.

**Section 12.1. Security Personnel; Powers and Duties; Penalty.**—*The State Horse Racing Commission and any association licensed by the commission is hereby authorized and empowered to employ persons as security personnel. These persons shall possess the powers and duties of a peace officer with respect to the enforcement of the criminal laws of the Commonwealth within the race meeting grounds or enclosure. Such designated persons are also authorized and empowered to interrogate and eject from the race meeting grounds or enclosure any persons suspected of violating any rule or regulation promulgated by the State Horse Racing Commission. The State Horse Racing Commission and any association licensed by the commission may refuse admission to and eject from enclosure of the race track operated by any association, any person whose presence there is, in the sole judgment of the State Horse Racing Commission or the association, inconsistent with the orderly or proper conduct of a race meeting or whose presence or conduct is deemed detrimental to the best interest of horse racing. The action of the State Horse Racing Commission or any association in refusing any person admission to or ejecting him from a race meeting ground or enclosure shall be reviewable by the Court of Common Pleas of Dauphin County as provided in the act of June 4, 1945 (P.L.1388), known as the "Administrative Agency Law." A licensee may not refuse admission to or eject a law enforcement official while such official is actually engaged in the performance of his official duties. A person found within a race track enclosure after having been refused admission thereto or ejected therefrom shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding two hundred dollars (\$200) or undergo imprisonment for a term not exceeding thirty days, or both.*

Section 2. This act shall take effect immediately.

APPROVED—The 24th day of July, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 210.

  
Secretary of the Commonwealth.