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1 **Utah Horse Racing Commission Amendments**

2025 GENERAL SESSION

	Chief Sponsor: Michael K. McKell
	House Sponsor: Casey Snider
LO	NG TITLE
Ge	neral Description:
	This bill addresses hearings related to the Utah Horse Racing Commission.
Hig	hlighted Provisions:
	This bill:
	• establishes that a person may appeal a final order or ruling by the Utah Horse Racing
Coı	nmission (commission) to a court;
	• awards costs and fees, attorney fees, and court costs to the Department of Agriculture and
Foo	d if the commission prevails upon an appeal to a court;
	requires the commission to adopt rules for a proceeding before the board of stewards; and
	makes technical and conforming changes.
Mo	ney Appropriated in this Bill:
	None
Otl	ner Special Clauses:
	This bill provides a special effective date.
Uta	h Code Sections Affected:
AM	IENDS:
	4-38-501, as renumbered and amended by Laws of Utah 2017, Chapter 345

Appeal -- Costs and attorney fees -- Rulemaking.

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(1)(a) Except as otherwise provided in this section, [all proceedings before the

commission or the commission's hearing officer with respect to the denial, 27

S.B. 276 Enrolled Copy

28	suspension, or revocation of licenses or the imposition of fines shall be conducted
29	pursuant to] the commission or the commission's hearing officer shall conduct an
30	informal adjudicative proceeding with respect to the denial, suspension, or revocation
31	of a license or imposition of a fine in accordance with Title 63G, Chapter 4,
32	Administrative Procedures Act.
33	(b) A final order or ruling from the commission shall take effect immediately and remain
34	effective unless stayed by a court.
35	(c) A person aggrieved by a final order or ruling issued by the commission may appeal
36	the order or ruling to a court.
37	(d) A court shall award costs, fees, attorney fees, and court costs to the department if the
38	commission prevails upon an appeal described in Subsection (1)(c).
39	(2)(a) [These proceedings shall be held-] The commission shall hold an informal
40	adjudicative proceeding in the county where the commission has an office or in [any
41	other] a place the commission designates.
42	(b) The commission shall notify the applicant or licensee by mailing, by first class mail,
43	a copy of the written notice required to the last address furnished by the application
44	or licensee to the commission at least seven days in advance of the hearing.
45	(3) The commission may delegate the commission's authority to conduct hearings with
46	respect to the denial or suspension of licenses or the imposition of a fine to a hearing
47	officer.
48	(4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
49	the commission shall make rules of procedure and evidence for a proceeding before
50	the board of stewards.
51	(b) [Proceedings before the board of stewards need not be governed by the procedural or
52	other requirements of Title 63G, Chapter 4, Administrative Procedures Act, but
53	rather shall be conducted.] The board of stewards shall conduct a proceeding in
54	accordance with rules adopted by the commission.
55	(5) The commission and the board of stewards may administer oaths and affirmations, sign
56	and issue subpoenas, order the production of documents and other evidence, and
57	regulate the course of the hearing [pursuant to] in accordance with rules adopted by the
58	commission.
59	(6)(a) Any person aggrieved by a final order or ruling issued by a board of stewards may
50	appeal the order or ruling to the commission [pursuant to] in accordance with the
51	procedural rules adopted by the commission.

Enrolled Copy S.B. 276

62	(b) The aggrieved party may petition the commission for a stay of execution pending
63	appeal to the commission.
64	Section 2. Effective Date.
65	This bill takes effect:
66	(1) except as provided in Subsection (2), May 7, 2025; or
67	(2) if approved by two-thirds of all members elected to each house:
68	(a) upon approval by the governor;
69	(b) without the governor's signature, the day following the constitutional time limit of
70	Utah Constitution, Article VII, Section 8; or
71	(c) in the case of a veto, the date of veto override.