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### Amending 129-2-8 (5) and Repealing 129-2-8 (3), Colorado Revised Statutes 1963, Relating to Racing.

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## CHAPTER 274

## SPORTS

## RACING

(Senate Bill No. 161. By Senator Gill; also Representatives Gillaspey, Lamb, and Foster.)

## AN ACT

AMENDING 129-2-8 (5) AND REPEALING 129-2-8 (3), COLORADO REVISED STATUTES 1963, RELATING TO RACING.

*Be It Enacted by the General Assembly of the State of Colorado:*

Section 1. 129-2-8 (5), Colorado Revised Statutes 1963, is hereby amended to read:

129-2-8.—**Eligibility to operate race meet—renewal or revocation.**—(5) (a) Said application shall set forth the PROPOSED dates of the race meets, for which such renewal application is made and THE DATES WITHIN SUCH RACE MEETS ON WHICH APPLICANT INTENDS TO CONDUCT RACING AT SUCH MEETINGS AND THE NUMBER OF RACES INTENDED TO BE RUN ON SUCH DATES, the address of the establishment where such meets are to be held, and shall have attached thereto a financial statement of the applicant as of a date not more than three months prior to the date of the application for renewal of such license. Such application shall also contain such other information as the rules of said racing commission may now or hereafter provide to insure that such licensee has been and is conducting race meets in accordance with the provisions of this article and the rules and regulations of the commission. To determine whether an application for renewal of such license to conduct race meets shall be granted, the commission shall have the right to examine the financial and other records of the licensee, to compel the production of records and documents, to conduct hearings, to summon witnesses, and to administer oaths.

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(b) AS SOON AS IS PRACTICABLE AFTER THE DATE FIXED FOR THE FILING OF SAID APPLICATIONS FOR RENEWAL, THE COMMISSION SHALL MEET AND DETERMINE THE GRANTING OR DENIAL THEREOF. IF THE COMMISSION FINDS THAT THE APPLICANT HAS FULLY COMPLIED WITH THE REQUIREMENTS AND CONDITIONS FOR RENEWAL, SUCH APPLICATION FOR RENEWAL SHALL BE GRANTED AND THE COMMISSION SHALL ALLOT AND ASSIGN TO THE RESPECTIVE APPLICANTS, IN THE MANNER HEREINAFTER STATED, DATES FOR RACING MEETS, DATES FOR RACING WITHIN THE MEET, AND THE NUMBER OF RACES ON SUCH DATES. IN ITS SOUND DISCRETION, THE COMMISSION MAY ALLOT A DIFFERENT NUMBER OF RACING DAYS TO THE SEVERAL APPLICANTS, DIFFERENT DATES FOR RACING MEETS, DATES FOR RACING WITHIN A MEET, AND NUMBER OF RACES ON SUCH DATES, THAN THOSE REQUESTED IN THE APPLICATION FOR RENEWAL. HOWEVER, IN MAKING SUCH ALLOTMENT OF DATES, THE COMMISSION SHALL DO SO IN ITS SOUND DISCRETION AND SHALL ENDEAVOR TO ALLOT TO EACH APPLICANT THE DATES REQUESTED IN THE RESPECTIVE APPLICATIONS SO FILED BY SUCH APPLICANTS, AFTER GIVING DUE CONSIDERATION TO ALL FACTORS INVOLVED, THE INTERESTS OF SUCH RESPECTIVE APPLICANTS, THE PUBLIC AND THE BEST INTERESTS OF RACING; AND AVOIDING, WHENEVER POSSIBLE, CONFLICTS IN RACING DATES BETWEEN RACE TRACKS CONDUCTING RACING OF THE SAME TYPE OF ANIMALS; PROVIDED, THAT THE COMMISSION MAY ALLOT DATES TO A STATE, COUNTY, OR OTHER FAIR COMMISSION OR ASSOCIATION HOLDING NOT MORE THAN ONE MEETING ANNUALLY AND FOR A PERIOD NOT EXCEEDING SIX DAYS, WHICH DATES ARE IN CONFLICT WITH THE DATES ALLOTED TO ANOTHER APPLICANT OR APPLICANTS CONDUCTING RACING OF THE SAME TYPE ANIMALS.

Section 2.—**Repeal.**—129-2-8 (3), Colorado Revised Statutes 1963, is hereby repealed.

Section 3.—**Safety clause.**—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 1965.