

**A-Engrossed**  
**Senate Bill 198**

Ordered by the Senate March 3  
Including Senate Amendments dated March 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Oregon Racing Commission)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Oregon Racing Commission, without prior hearing, to suspend or refuse to renew licenses issued to Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs or hub officers or employees for certain violations of law or commission rules.

**A BILL FOR AN ACT**

Relating to Oregon Racing Commission licensing actions.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 462.700 to 462.740.**

**SECTION 2. (1) Notwithstanding ORS 183.430 (1), the Oregon Racing Commission may suspend or refuse to renew a license authorized under ORS 462.725 without hearing if the commission finds that the licensee has committed a violation of federal or Oregon law or commission rules, that:**

**(a) Has placed moneys belonging to members of the public at risk; or**

**(b) Involves an intentional violation by the licensee of a federal or Oregon law or commission rule.**

**(2) The commission order suspending or refusing to renew the license must set forth the facts that the commission found to support the suspension or refusal of renewal. Except as provided in subsection (4) of this section, if the licensee demands a hearing within 90 days after the date on the notice informing the licensee of the suspension or refusal to renew the license, the commission shall grant the licensee a hearing as soon as practicable, but no later than 15 days after receipt of the demand.**

**(3) The Office of Administrative Hearings shall issue a proposed order no later than 15 days after the hearing record closes. Notwithstanding ORS 183.464, the commission shall issue a final order no later than 15 days after issuance of the proposed order or, if exceptions are filed, no later than 15 days after all exceptions are filed.**

**(4) The commission and the licensee may mutually agree to extend any time allowed under subsection (2) or (3) of this section for granting a hearing or issuing an order. The commission is not required to provide a hearing under subsection (2) of this section if the order suspending or refusing to renew the license:**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **(a) Is accompanied by, or pursuant to, a citation for violation that is subject to judicial**  
2 **determination in a court of this state; and**

3       **(b) Will, by the terms of the order, terminate if the court issues a final judgment on the**  
4 **citation in favor of the licensee.**

5       **SECTION 3.** **Section 2 of this 2009 Act applies to Oregon Racing Commission orders that**  
6 **are based upon law or commission rule violations committed on or after the effective date**  
7 **of this 2009 Act.**

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