

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 198

By COMMITTEE ON BUSINESS AND LABOR

May 22

1 On page 1 of the printed A-engrossed bill, delete lines 6 through 26 and delete page 2 and insert:

2 **“SECTION 2. (1) Notwithstanding ORS 183.430 (1), the Oregon Racing Commission may,**
3 **without prior notice, suspend or refuse to renew a license authorized under ORS 462.725**
4 **without hearing if the commission finds that the licensee has committed a violation of fed-**
5 **eral or Oregon law or commission rules, that has placed moneys belonging to members of**
6 **the public at risk.**

7 **“(2) Notwithstanding ORS 183.430 (1), the Oregon Racing Commission may, with at least**
8 **14 days’ notice, suspend or refuse to renew a license authorized under ORS 462.725 without**
9 **hearing if the commission finds that the licensee has committed an intentional violation of**
10 **federal or Oregon law or commission rules.**

11 **“(3)(a) If the licensee demands a hearing prior to the date an order to suspend or refuse**
12 **renewal of a license becomes effective, the commission:**

13 **“(A) May stay the order; and**

14 **“(B) Shall grant the licensee a hearing as soon as practicable, but no later than 15 days**
15 **after receipt of the demand.**

16 **“(b) If the commission stays the order pending the hearing, and the licensee demon-**
17 **strates that the licensee was not in violation of or has come into compliance with the appli-**
18 **icable law or rule, the proposed suspension or refusal to renew the license may not become**
19 **effective.**

20 **“(4) The commission order suspending or refusing to renew the license under subsection**
21 **(1) or (2) of this section must set forth the facts that the commission found to support the**
22 **suspension or refusal of renewal. Except as provided in subsection (6) of this section, if the**
23 **licensee demands a hearing within 90 days after the date on the notice informing the licensee**
24 **of the suspension or refusal to renew the license, the commission shall grant the licensee a**
25 **hearing as soon as practicable, but no later than 15 days after receipt of the demand.**

26 **“(5) The Office of Administrative Hearings shall issue a proposed order no later than 15**
27 **days after the hearing record closes. Notwithstanding ORS 183.464, the commission shall is-**
28 **sue a final order no later than 15 days after issuance of the proposed order or, if exceptions**
29 **are filed, no later than 15 days after all exceptions are filed.**

30 **“(6) The commission and the licensee may mutually agree to extend any time allowed**
31 **under subsection (4) or (5) of this section for granting a hearing or issuing an order. The**
32 **commission is not required to provide a hearing under subsection (4) of this section if the**
33 **order suspending or refusing to renew the license:**

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

1 “(b) Will, by the terms of the order, terminate if the court issues a final judgment on the
2 citation in favor of the licensee.

3 “(7) The commission shall adopt rules that require licensees to meet specific financial
4 obligations.

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

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