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SENATE BILL 149

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Mary Kay Papen

AN ACT

RELATING TO HORSE RACING; PERMITTING RACETRACK LICENSEES TO
EJECT OR EXCLUDE FROM THEIR LICENSED PREMISES ANY PERSON WHO
ADMINISTERS A PERFORMANCE-ALTERING SUBSTANCE TO A RACEHORSE;
PROVIDING CIVIL IMMUNITY FOR LAWFUL EXCLUSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Horse Racing Act is
enacted to read:

"[NEW MATERIAL] RACETRACK LICENSEES--POWER TO EJECT OR
EXCLUDE--IMMUNITY FROM CIVIL SUIT.--

A. A racetrack licensee may eject or exclude from
the racetrack licensee's licensed premises any person whose
occupational license has been suspended or revoked by the
stewards or the commission for administering a performance-
altering substance as provided in Subsection A of Section

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1 60-1A-28 NMSA 1978.

2 B. A racetrack licensee that ejects or excludes a
3 person from the racetrack licensee's licensed premises pursuant
4 to Subsection A of this section may prevent that person from
5 reentering the licensed premises unless the suspension or
6 revocation is reversed by the stewards or overturned by the
7 commission or a court of competent jurisdiction.

8 C. Nothing in this section shall be construed to
9 limit a racetrack licensee's power to eject or exclude a person
10 from the racetrack licensee's licensed premises for any other
11 lawful reason.

12 D. A racetrack licensee shall not be liable to any
13 person for ejecting or excluding that person from the racetrack
14 licensee's licensed premises pursuant to this section."