

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

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**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/11/2026 *Check all that apply:*  
**Bill Number:** S 251 Original  Correction   
 Amendment  Substitute

<b>Sponsor:</b>	<u>Antonio Maestas Rex Wilson</u>	<b>Agency Name and Code</b>	<u>46900 Racing Commission</u>
<b>Short Title:</b>	<u>Candy Ezzell</u>	<b>Number:</b>	<u></u>
	<u>Re Horseracing Prohibiting Program Training &amp; Owning, Providing Racing Comm authority to refuse suspend, revoke</u>	<b>Person Writing</b>	<u>Richard Bustamante</u>
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0	n/a	n/a

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0	n/a	n/a

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	0	0	0	n/a	n/a	n/a

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: The bill adds the definition of program owner and program trainer as being persons licensed by the Racing Commission who are acting as fronts for the actual trainer or owner who may or may not be licensed by the Commission. It also provides the Commission with authority to suspend, revoke a license issued to the person acting as a front and impose disciplinary proceedings and consequence for engaging in those practices.

### **FISCAL IMPLICATIONS**

Depending on how pervasive the problem of program trainer and owner is in NM horse racing, the Commission's budget could be impacted because of the need for investigation of such matters by one of the two Commission investigators and then disciplinary proceedings before the Commission's three stewards. There is a right to appeal Stewards' Rulings to the Commission, which are heard by a contracted hearing officer for a recommendation to the Commission. Thus, several employees of the Commission and its contracted hearing officer would have additional responsibilities placed upon them.

Any paid fines from program trainers or program owners collected by the Commission will go to the school fund, thereby providing some additional revenue for that purpose.

### **SIGNIFICANT ISSUES**

Regarding the draft language in the bill, there are no issues. The language is direct, to the point, and easily understood.

Program owning and training, no matter its frequency, is a scourge on the sport and is essentially defrauding the public. Investigation and administrative prosecution of such practices will add additional work to Commission Investigators, Stewards, and Legal Staff.

### **PERFORMANCE IMPLICATIONS**

In terms of getting cheaters out of horseracing and building and maintaining confidence upon the fans and wagers of horseracing, the addition of program owning and training and the ability to take action against their Commission-issued license to the Horseracing Act is critical.

The Commission already has administrative rules regarding program Trainers. However, codifying program Trainers and program Owners into the Horse Racing Act will give the Commission more strength to administratively discipline such individuals, especially the program Owners.

Finally, there is the potential that licensees disciplined for program Training and/or program Owning could face 4<sup>th</sup> degree felony criminal charges as permitted under Section 60-1A-25 of the Horse Racing Act.

### **ADMINISTRATIVE IMPLICATIONS**

In terms of getting cheaters out of horseracing and building and maintaining confidence upon the fans and wagers of horseracing, the addition of program owning and training and the ability to take action against their Commission-issued license to the Horseracing Act is critical.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

There is no conflicting, duplicative, companion, or related legislation to the Commission's knowledge.

### **TECHNICAL ISSUES**

None which are readily identifiable or apparent.

### **OTHER SUBSTANTIVE ISSUES**

As with all other disciplinary proceedings, the Commission's existing Rules on the discipline of licenses and complying with due process requirements are applicable.

There may be a need to draft and pass new administrative Rules in light of the new statutory provisions.

### **ALTERNATIVES**

As noted earlier, the Commission Rule on Conduct Detrimental to Racing. However, that is a kind of "catch-all" provision. The Commission respectfully submits that codifying program owner and trainer into the statutory Horse Racing Act will send a strong message to the participants on New Mexico horseracing.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The scourge of program owning and program training will unfortunately continue. The licensed participants in horseracing will not be sent the strong message that the prohibition against program training and program owning is now in statute. The Commission will be denied the ability to investigate and administratively prosecute specifically for the offenses of program training and program owning, rather relying on more generic administrative Rules such as Conduct Detrimental to Racing.

### **AMENDMENTS**

None that are readily identifiable at this time.