

CHAPTER 77-53

House Bill No. 526

AN ACT relating to the Administrative Procedure Act; adding subsection (3) to s. 120.63, Florida Statutes, 1976 Supplement, exempting the Division of Pari-mutuel Wagering of the Department of Business Regulation from certain hearing and notice requirements for certain hearings by stewards, judges, and boards of judges; requiring the Division of Pari-mutuel Wagering to adopt alternative procedures, including a hearing upon reasonable notice; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) is added to section 120.63, Florida Statutes, 1976 Supplement, to read:

120.63 Exemption from act; Division of Pari-mutuel Wagering.--

(3) The Division of Pari-mutuel Wagering is exempted from the hearing and notice requirements of s. 120.57(1) (a) and (b), but only for stewards, judges, and boards of judges when the hearing is to be held for the purpose of the imposition of fines or suspensions as provided by the Division of Pari-mutual Wagering rules, but not for revocations, and only upon violations (a) through (f) below. The Division of Pari-mutuel Wagering shall adopt rules establishing alternative procedures, including a hearing upon reasonable notice, for the following violations:

(a) Horse riding , harness riding, greyhound interference, and jai alai game actions in violation of chapters 550 and 551.

(b) Application and usage of drugs and medication to horses, greyhounds, and jai alai players in violation of chapters 550 and 551.

(c) Maintaining or possessing any device which could be used for the injection or other infusion of a prohibited drug to horses, greyhounds, and jai alai players in violation of chapters 550 and 551.

(d) Suspensions under reciprocity agreements between the Division of Pari-mutual Wagering and regulatory agencies of other states.

(e) Assault or other crimes of violence on pari-mutuel wagering licensed premises.

(f) Prearranging the outcome of any race or game.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 23, 1977.

Filed in Office Secretary of State May 24, 1977.