

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 552

Session of
1975

INTRODUCED BY SMITH, MURRAY, KELLEY, SCANLON, ROSS, DOUGHERTY
AND LYNCH, APRIL 15, 1975

AS AMENDED ON SECOND CONSIDERATION, APRIL 28, 1975

AN ACT

1 Amending the act of December 11, 1967 (P.L.707, No.331),
2 entitled "An act providing for and regulating thoroughbred
3 horse racing with pari-mutuel wagering on the results
4 thereof, creating the State Horse Racing Commission as an
5 independent administrative commission and defining its powers
6 and duties; providing for the establishment and operation of
7 thoroughbred horse racing plants; imposing taxes on revenues
8 of such plants; disposing of all moneys received by the
9 commission and all moneys collected from the taxes;
10 authorizing penalties; and making appropriations," further
11 providing for refusal of admittance to and ejection of
12 persons from race tracks.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 12.1, act of December 11, 1967 (P.L.707,
16 No.331), entitled "An act providing for and regulating
17 thoroughbred horse racing with pari-mutuel wagering on the
18 results thereof, creating the State Horse Racing Commission as
19 an independent administrative commission and defining its powers
20 and duties; providing for the establishment and operation of
21 thoroughbred horse racing plants; imposing taxes on revenues of
22 such plants; disposing of all moneys received by the commission
23 and all moneys collected from the taxes; authorizing penalties;

1 and making appropriations," added July 24, 1970 (P.L.634,
2 No.210), is amended to read:

3 Section 12.1. Security Personnel; Powers and Duties;
4 Penalty.--The State Horse Racing Commission and any association
5 licensed by the commission is hereby authorized and empowered to
6 employ persons as security personnel. These persons shall
7 possess the powers and duties of a peace officer with respect to
8 the enforcement of the criminal laws of the Commonwealth within
9 the race meeting grounds or enclosure. Such designated persons
10 are also authorized and empowered to interrogate and eject from
11 the race meeting grounds or enclosure any persons suspected of
12 violating any rule or regulation promulgated by the State Horse
13 Racing Commission. The State Horse Racing Commission [and any
14 association licensed by the commission] may refuse admission to
15 and eject from enclosure of the race track operated by any
16 association, any person whose presence there is, in the sole
17 judgment of the State Horse Racing Commission [or the
18 association,] inconsistent with the orderly or proper conduct of
19 a race meeting or whose presence or conduct is deemed
20 detrimental to the best interest of horse racing. The action of
21 the State Horse Racing Commission [or any association] in
22 refusing any person admission to or ejecting him from a race
23 meeting ground or enclosure shall not be because of the race,
24 creed, color, sex, national origin or religion of such person
25 and shall be reviewable by the Court of Common Pleas of Dauphin
26 County as provided in the act of June 4, 1945 (P.L.1388,
27 No.442), known as the "Administrative Agency Law." Any
28 association licensed by the commission may refuse admission to
29 and eject from the enclosure of the race track operated by any
30 association any person except that no person shall be refused

1 admission or be ejected because of the race, color, creed, sex,
2 national origin or religion of such person. A licensee may not
3 refuse admission to or eject a law enforcement official while
4 such official is actually engaged in the performance of his
5 official duties. A person found within a race track enclosure
6 after having been refused admission thereto or ejected therefrom
7 shall, upon conviction thereof in a summary proceeding, be
8 sentenced to pay a fine not exceeding two hundred dollars (\$200)
9 or undergo imprisonment for a term not exceeding thirty days, or
10 both.

11 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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