

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1237 Session of
2022

INTRODUCED BY VOGEL AND MENSCH, MAY 19, 2022

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 19, 2022

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, in race horse industry reform, further providing
3 for State Horse Racing Commission.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 9311(h) of Title 3 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9311. State Horse Racing Commission.

9 * * *

10 (h) Rules and regulations.--The following shall apply:

11 (1) All rules and regulations promulgated under the
12 former act of December 11, 1967 (P.L.707, No.331), referred
13 to as the Pennsylvania Thoroughbred Horse Racing Law, or the
14 former act of December 22, 1959 (P.L.1978, No.728), referred
15 to as the Pennsylvania Harness Racing Law, shall remain in
16 effect except to the extent that they are in direct conflict
17 with this chapter. The commission may adopt, amend, revise or
18 alter the rules and regulations as the commission deems
19 necessary.

1 (2) The commission shall promulgate rules and
2 regulations necessary for the administration and enforcement
3 of this chapter. Except as provided in this paragraph and
4 ~~[paragraph (3)] paragraphs (3) and (5)~~, regulations shall be
5 promulgated in accordance with law.

6 (3) In order to facilitate the prompt implementation of
7 this chapter, regulations promulgated by the commission shall
8 be deemed temporary regulations which shall not expire for a
9 period of ~~[three]~~ six years following publication. Temporary
10 regulations shall not be subject to:

11 (i) Sections 201, 202, 203, 204 and 205 of the act
12 of July 31, 1968 (P.L.769, No.240), referred to as the
13 Commonwealth Documents Law.

14 (ii) Sections 204(b) and 301(10) of the act of
15 October 15, 1980 (P.L.950, No.164), known as the
16 Commonwealth Attorneys Act.

17 (iii) The act of June 25, 1982 (P.L.633, No.181),
18 known as the Regulatory Review Act.

19 (4) The commission's authority to promulgate temporary
20 regulations under paragraph (3) shall expire three years
21 after the effective date of this section. Regulations adopted
22 after this period shall be promulgated as provided by law.

23 (5) In order to facilitate the prompt implementation of
24 regulations required by the Horseracing Integrity and Safety
25 Act of 2020 (Public Law 116-260, 134 Stat. 1182), the
26 commission may promulgate temporary regulations that shall
27 expire no later than three years following the publication of
28 the temporary regulations. The commission may promulgate
29 temporary regulations not subject to:

30 (i) Sections 201, 202, 203, 204 and 205 of the

1 Commonwealth Documents Law.

2 (ii) Sections 204(b) and 301(10) of the Commonwealth
3 Attorneys Act.

4 (iii) The Regulatory Review Act.

5 (6) The commission's authority to promulgate temporary
6 regulations under paragraph (5) shall expire three years
7 after the effective date of this paragraph. Regulations
8 adopted after this period shall be promulgated as provided by
9 law.

10 * * *

11 Section 2. This act shall take effect immediately.