



State of Tennessee

PUBLIC CHAPTER NO. 1040

SENATE BILL NO. 1738

By Niceley

Substituted for: House Bill No. 2029

By Faison, Powell, Miller, Favors, Towns, Clemmons

AN ACT to amend Tennessee Code Annotated, Title 4, relative to the creation of the state horse racing advisory committee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding the following as a new chapter:

4-36-101.

(a) There is created as an independent entity of state government the state horse racing advisory committee, which shall consist of seven (7) members to be appointed by the governor, as follows:

(1) Five (5) public members;

(2) One (1) member who shall have a background in law enforcement, and who shall be selected from a list of three (3) persons submitted by the director of the TBI; and

(3) One (1) member who shall have a background in accounting, and who shall be selected from a list of three (3) persons submitted by the state board of accountancy.

(b) Of the members appointed:

(1) At least two (2) members shall be appointed from each grand division of the state; and

(2) At least four (4) members shall have a reasonable knowledge of the practices and procedures of horse racing.

(c) In making appointments to the committee, the governor shall strive to ensure that the committee is composed of members who are diverse in professional or educational background, ethnicity, age, race, gender, geographic residency, heritage, perspective, and experience.

(d) A vacancy on the committee shall be filled in the same manner as the original appointment.

4-36-102. To be eligible for appointment to, and membership on, the committee, a person shall:

(1) Have been a legal resident of this state for five (5) years immediately preceding the appointment, and shall be at least thirty (30) years of age;

(2) Be of such character and reputation as to promote public confidence in the administration of horse racing within this state;

(3) Not directly or indirectly or in any capacity own or have any financial interest in a horse racing track, including, but not limited to, an interest as owner, lessor, lessee, operator, manager, concessionaire, stockholder, or employee;

(4) Not be a public official or public employee;

(5) Not have been convicted of any gambling or gaming offense under federal law, the laws of this state, or any other state, or of an offense that is punishable as a felony under federal law, the laws of this state, or the laws of any other state;

(6) Not accept any financial or other form of reward or gift from any horse racing association or any other entity with financial interest in horse racing; and

(7) Have no financial interest, or engage in any private employment, in a business that does business with any horse racing association or any other entity involved in horse racing.

4-36-103. Committee members shall receive no compensation, nor be entitled to be reimbursed for actual travel and other expenses incurred in attending any meeting and in performing any duties prescribed by this chapter.

4-36-104.

(a) A majority of the members of the committee shall constitute a quorum for the transaction of business or the exercise of its powers.

(b)(1) Any member of the committee who fails to attend or participate in more than fifty percent (50%) of the meetings in a calendar year shall be removed as a member.

(2) The chair of the committee shall notify the appointing authority of any member who fails to satisfy the attendance requirement in subdivision (b)(1).

4-36-105.

(a) The governor shall appoint a chair from the members appointed to the committee.

(b) The chair shall:

(1) Call the first meeting of the committee;

(2) Attend all meetings of the committee;

(3) Keep a complete record of the proceedings at each meeting of the committee;

(4) Preserve all books, documents, and papers entrusted to the care of the committee, and prepare for service any documents as may be required by the committee; and

(5) Be responsible for the carrying out of all requests and directives of the committee.

4-36-106. All meetings of the committee shall be open and public in accordance with title 8, chapter 44, and the committee shall keep detailed records of its meetings and business.

4-36-107.

(a)(1) Effective July 1, 2016, the committee shall meet quarterly, or more often in the discretion of the committee, to develop recommendations for legislation related to the establishment of horse racing in this state, with the ultimate goal of authorizing a state governmental entity to regulate horse racing in this state.

(2) In carrying out its duties, the committee may investigate, study, and report on any programs, initiatives, topics, or other matters as the committee deems appropriate to further the establishment of horse racing in this state.

(b) In carrying out the responsibilities of the committee, the committee may request the assistance of any agency of state government, and it is the duty of the agencies to promptly comply with any such request for assistance by the committee.

(c) The committee shall complete a comprehensive report that includes, but is not limited to, all recommendations for legislation on the establishment of horse racing in this state and shall file the report with the governor, the chair of the government operations committee of the house of representatives, and the chair of the government operations committee of the senate prior to July 1, 2018.

(d) This chapter shall be repealed on July 1, 2018.

SECTION 2. For the purpose of appointing members to the committee, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2016, the public welfare requiring it.

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PASSED: April 20, 2016



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of April 2016



BILL HASLAM, GOVERNOR