

**BEFORE THE PENNSYLVANIA  
STATE HORSE RACING COMMISSION**

**In Re:** :  
**Ejection/Denial of Admission** : **Administrative Docket No. 2017-8**  
**Hearing Procedures** :

**ORDER**

AND NOW, this 27<sup>th</sup> day of April, 2017, in accordance with its general authority and jurisdiction over pari-mutuel racing activities and specifically, under the authority set forth in §9311(h) of the Racing Act (3 Pa. C.S. §9311(h)) to adopt temporary regulations, the Commission hereby approves and orders the following procedures governing the expedited conduct of administrative hearings by the Commissioners regarding ejections or denial of admission matters.

The statutory provisions set forth in §9326 (a) (3 Pa. C.S. §9326 (a)) shall continue to control the requirements of denials of admission and/or ejections of licensed individuals from racetrack enclosures. All notices of ejections or denials of admission must be in writing and must set forth the specific reasons for such a denial of admission or ejection. Failure by the licensed racing entity to provide formal written notice of the denial of admission or ejection to the licensed individual shall be grounds for a show cause order to be issued. The person ejected or denied admission to the racetrack enclosure may appeal the denial of admission or ejection to the Commission, in writing, within 48 hours of such action. No appeal shall be granted or heard regarding the purported denial of horse entries by a licensed racing entity.

All appeals must be submitted to the breed-specific Bureau Director, who shall immediately review the timeliness and appropriateness of such an appeal. A request for a stay shall be granted until such time as the Commission renders a decision in the matter. All ejection/denial of admission hearings, if granted, shall be scheduled for and conducted at the next

public monthly meeting of the Commission. The parties shall be given written notice of the specific date and time of that meeting. Continuances of a scheduled hearing shall be requested of the Commission and must be submitted in writing. Hearings will not be continued except for compelling reasons, as determined by the Commission, in its sole discretion.

The Commissioners shall preside over the course and conduct of the hearing, shall receive evidence from the parties and rule on any evidentiary matters during the hearing. All hearings shall be stenographically recorded and upon the closing of evidence of record, the Commission shall immediately render an oral decision in the matter. The Commission's written Adjudication supporting its final Order and determination shall be issued shortly thereafter.

Either party may appeal the Commission's written determination to the Commonwealth Court within 30 days of the receipt of the written determination.

**BY THE PENNSYLVANIA  
STATE HORSE RACING COMMISSION:**

  
**Russell C. Redding, Chairman**