

SENATE BILL NO. 13

INTRODUCED BY S. FITZPATRICK

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE APPLICATION OF THE CODE OF ETHICS FOR THE EXECUTIVE SECRETARY OF THE BOARD OF HORSERACING; AMENDING SECTION 23-4-106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-4-106, MCA, is amended to read:

"23-4-106. Executive secretary -- powers and duties -- staff -- prohibition on racing activities. (1)

The department shall appoint an executive secretary for the board.

(2) The executive secretary, in accordance with rules adopted by the board and the provisions of Title 2, chapter 2, and this chapter, shall:

- (a) supervise race meets and activities of racing officials;
- (b) hire all state racing officials for the department;
- (c) inspect race facilities;
- (d) prescribe the duties and salary of state stewards; and
- (e) perform other duties as directed by the board.

(3) The executive secretary may, subject to the approval of the board, hire staff to assist in the performance of the executive secretary's duties.

(4) The executive secretary, a staff member, and any member of the executive secretary's or a staff member's immediate family are prohibited from owning, training, or having any interest in a racehorse or mule running on a Montana track or having any financial interest in any Montana racing association. A racing official hired by the department or approved by the board may not wager at a race meet at which the racing official presides."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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