

SENATE, No. 1567

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Requires public hearings on proposed off-track wagering facilities to be held in municipalities contiguous to site where proposed facilities will be located.

CURRENT VERSION OF TEXT

As introduced.



S1567 CONNORS

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1 AN ACT concerning off-track wagering facilities and amending
2 P.L.2001, c.199.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 6 of P.L.2001, c.199 (C.5:5-132) is amended to read
8 as follows:

9 6. Within 14 days of receipt of a completed application,
10 certification and applicable fees, the executive director shall
11 determine whether the same is in due form and meets the
12 requirements of law in all respects, and upon being satisfied thereof,
13 the commission, within 45 days of receipt of a completed
14 application, certification and applicable fees, shall hold a public
15 hearing in the municipality in which the proposed off-track
16 wagering facility is to be located, and in any municipality
17 contiguous to the site on which the proposed facility is to be
18 located. The costs of the public hearing or hearings shall be paid by
19 the applicant. The executive director shall cause a display
20 advertisement, approximately 11 inches by 8 inches in size, to be
21 published at least once in a daily newspaper, and at least once in a
22 weekly newspaper, published, or circulated if none is published, in
23 the county where **the** each municipality in which a hearing will
24 be held is located at least 15 days before the date of **the** a public
25 hearing and to be published again in **that** each daily newspaper on
26 the third day preceding **the** a public hearing and in the latest
27 edition of **that** each weekly newspaper that will be in circulation
28 on the third day preceding **the** a public hearing. The
29 advertisement shall contain sufficient information to apprise the
30 public as to the purpose of the hearing, the time and place thereof,
31 and the nature of the license applied for. The advertisement shall
32 be prepared and placed by the executive director, but shall be paid
33 for by the applicant.

34 (cf: P.L.2011, c.26, s.5)

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36 2. Section 7 of P.L.2001, c.199 (C.5:5-133) is amended to read
37 as follows:

38 7. a. No sooner than 30 days nor later than 60 days following
39 the last public hearing held, the commission shall make a final
40 determination on the license application. The commission shall
41 approve the application if it determines that the plan for the
42 proposed facility includes appropriate standards of quality for the
43 premises and services it will provide and that the applicant has
44 demonstrated by clear and convincing evidence that establishment

EXPLANATION – Matter enclosed in bold-faced brackets **thus** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 of the proposed off-track wagering facility will not be inimical to
2 the interests of the public and the horse racing industry in this State.
3 The commission shall submit its determination to the Attorney
4 General for review and approval. The determination of the
5 commission shall be deemed approved by the Attorney General if
6 not affirmatively approved or disapproved by the Attorney General
7 within 14 days of the date of submission. The decision of the
8 Attorney General shall be deemed a final decision. Upon approval
9 by the Attorney General, the commission shall issue to the applicant
10 an off-track wagering license specifying the location, the periods of
11 time during a calendar year and the hours of operation during which
12 off-track wagering is permitted at the facility, and prescribing any
13 other conditions or terms the commission deems appropriate.

14 b. With the approval of the commission, the authority may
15 assign an off-track wagering license to a permit holder, provided
16 that the authority shall retain responsibility for license renewals. In
17 the event the authority assigns an off-track wagering license, the
18 assignee shall reimburse the authority for its costs associated with
19 the application for the license. With the approval of the
20 commission, an off-track wagering licensee may enter into a
21 contract or agreement with a person or entity to conduct or operate
22 an off-track wagering facility for the licensee and to act as the agent
23 of the licensee in all off-track wagering matters approved by the
24 commission.

25 (cf: P.L.2011, c.26, s.6)

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27 3. This act shall take effect immediately.

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STATEMENT

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32 Currently, the Racing Commission is required to hold a public
33 hearing in a municipality where a proposed off-track wagering
34 facility is to be located. This bill would require that a public
35 hearing also be held in any municipality that is contiguous to the
36 site on which the proposed facility is to be located.

37 The sponsor believes that the residents of municipalities
38 contiguous to proposed off-track wagering facilities, whose quality
39 of life and community will be affected by the proposed facilities,
40 have a right to have their concerns heard in an open, public forum
41 before a final decision is made on whether the proposed facility
42 should move forward.