

WAC 260-36-120 Denial, suspension, and revocation—Grounds. (1)

The commission, executive secretary, or board of stewards may refuse to issue or may deny a license to an applicant, may modify or place conditions upon a license, may suspend or revoke a license issued, may order disciplinary measures, or may ban a person from all facilities under the commission's jurisdiction, if the applicant licensee, or other person:

- (a) Has been convicted of any felony or gross misdemeanor crime;
- (b) Is subject of current prosecution of any felony crime;
- (c) Has any felony conviction under appeal;
- (d) Has pending criminal charges;
- (e) Has failed to meet the minimum qualifications required for the license for which they are applying;
- (f) Has failed to disclose or states falsely any information required in the application;
- (g) Has been found in violation of statutes or rules governing racing in this state or other jurisdictions;
- (h) Has a proceeding pending to determine whether the applicant or licensee has violated the rules of racing in this state or other racing jurisdiction;
- (i) Has been or is currently excluded from a racetrack at which parimutuel wagering on horse racing is conducted by a recognized racing jurisdiction;
- (j) Has had a license denied by any racing jurisdiction;
- (k) Is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or who may interfere or has interfered with the orderly conduct of a race meeting;
- (l) Demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or checks that are dishonored or payment refused;
- (m) Has violated any of the alcohol or substance abuse provisions outlined in chapter 260-34 WAC;
- (n) Has violated any of the provisions of chapter 67.16 RCW;
- (o) Has violated any provisions of Title 260 WAC;
- (p) Has association with persons of known disreputable character;
- (q) Has not established the necessary skills or expertise to be qualified for a license as required by WAC 260-36-060; or
- (r) Has committed any act with the outcome or intent of defrauding the industrial insurance benefits provided under the horse industry account.

(2) The executive secretary or board of stewards must deny the application for license or suspend or revoke an existing license if the applicant or licensee:

- (a) Is certified under RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order;
- (b) Has any outstanding arrest warrants; or
- (c) Is currently suspended or revoked in Washington by a commission order, or by another recognized racing jurisdiction.

(3) A license suspension or revocation will be reported in writing to the applicant or licensee and electronically to the Association of Racing Commissioners International, Inc.

[Statutory Authority: RCW 67.16.020. WSR 21-03-021, § 260-36-120, filed 1/8/21, effective 2/8/21; WSR 12-23-015, § 260-36-120, filed 11/9/12, effective 12/10/12; WSR 12-03-077, § 260-36-120, filed

1/13/12, effective 2/13/12. Statutory Authority: RCW 67.17.020. WSR 10-07-048, § 260-36-120, filed 3/11/10, effective 4/11/10. Statutory Authority: RCW 67.16.020. WSR 07-01-052, § 260-36-120, filed 12/14/06, effective 1/14/07. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 06-05-039, § 260-36-120, filed 2/9/06, effective 3/12/06; WSR 05-05-047, § 260-36-120, filed 2/14/05, effective 3/17/05. Statutory Authority: RCW 67.16.020. WSR 04-07-075, § 260-36-120, filed 3/15/04, effective 4/15/04. Rules of racing, § 347, filed 4/21/61; sub. (2) added as rule § 347(a), filed 1/21/64.]