

**240.22 FINES.**

(a) The commission shall by rule establish a graduated schedule of civil fines for violations of laws related to horse racing or of the commission's rules. The schedule must include minimum and maximum fines for each violation and be based on and reflect the culpability, frequency and severity of the violator's actions. The commission may impose a fine from this schedule on a licensee for a violation of those rules or laws relating to horse racing. The fine is in addition to any criminal penalty imposed for the same violation. Fines imposed by the commission must be paid to the commission and except as provided in paragraph (b), forwarded to the commissioner of management and budget for deposit in the general fund. A fine in excess of \$5,000 is a contested case under the Administrative Procedure Act.

(b) If the commission is the prevailing party in a contested case proceeding, the commission may recover, from amounts to be forwarded under paragraph (a), reasonable attorney fees and costs associated with the contested case.

**History:** 1983 c 214 s 22; 1985 c 212 s 20; 1987 c 69 s 3; 2003 c 112 art 2 s 50; 2009 c 101 art 2 s 109; 2015 c 77 art 4 s 19

**NOTE:** The amendment to this section by Laws 2015, chapter 77, article 4, section 19, is effective July 1, 2016. Laws 2015, chapter 77, article 4, section 19, the effective date.