

Jurisdiction and Rule Web address	Rule Number	Rule Language
<b>ARCI Model Rule</b> <a href="http://www.ua-rtip.org/industry_service/download_model_rules">http://www.ua-rtip.org/industry_service/download_model_rules</a>	ARCI-003-010 J. (4)	The <b>executive director</b> may grant a stay for cause. The executive director shall notify the person in writing of the decision. The executive director may rescind a stay granted under this subsection for reasonable cause.
<b>United States Flat Racing</b>		
<b>Arizona</b> <a href="http://www.azsos.gov/public_services/Title_19/19-02.htm">http://www.azsos.gov/public_services/Title_19/19-02.htm</a>	Not found	
<b>Arkansas</b> <a href="http://www.dfa.arkansas.gov/offices/racingCommission/Pages/thoroughbreds.aspx">www.dfa.arkansas.gov/offices/racingCommission/Pages/thoroughbreds.aspx</a>	1260	An appeal from any action, proceeding or decision of a racing official or franchise holder shall not serve to stay or otherwise affect such action, proceeding or decision until the appeal has been acted upon by the <b>Racing Commission</b> , unless otherwise ordered by the Racing Commission or by a Court of competent jurisdiction.
<b>California</b> <a href="http://www.chrb.ca.gov/rules_law.html">http://www.chrb.ca.gov/rules_law.html</a>	1762 (a)	The <b>Executive Director upon the direction of the Chairman, or in the absence of the Chairman any Commissioner</b> , may issue a temporary stay order to stay execution of any ruling, order or decision of the stewards, other than a stay of a decision pertaining to the finish of a race for pari-mutuel pool distribution.
<b>Colorado</b> <a href="http://www.colorado.gov/cs/Satellite/Rev-Racing/RRAC/1209030659304">http://www.colorado.gov/cs/Satellite/Rev-Racing/RRAC/1209030659304</a>	6.520	... Upon receipt of a request for a stay, each member of the <b>Commission shall be polled</b> for a majority determination as to whether the stay should be granted. In the event a majority determination cannot be made due to the unavailability of one or more of the Commissioners, the remaining available Commissioners or the Director shall make the determination. ...
<a href="http://regulations.delaware.gov/AdminCode/title3/1000/1001/index.shtml#TopOfPage">http://regulations.delaware.gov/AdminCode/title3/1000/1001/index.shtml#TopOfPage</a>	Not found	
<b>Florida</b> <a href="http://www.myfloridalicense.com/dbpr/pmw/statutes.html">www.myfloridalicense.com/dbpr/pmw/statutes.html</a>	61D-3.003	<p>(1) A request for an appeal hearing following a stewards'/judge's ruling shall not automatically stay the decision of the stewards/judge regarding the penalty imposed. Any request for a stay of the penalty imposed shall specify the reasons supporting the issuance of a stay. The licensee's request for a stay must be in writing or on Form DBPR PMW-3090, Request for Stay, effective 3-4-07, adopted herein by reference, <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-00307">http://www.flrules.org/Gateway/reference.asp?No=Ref-00307</a>, and can be obtained at <a href="http://www.myfloridalicense.com/dbpr/pmw">www.myfloridalicense.com/dbpr/pmw</a> or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035.</p> <p>(2) Any party desiring a stay of stewards'/judge's ruling shall <b>first seek the stay from the stewards/judge</b>, who shall grant the stay unless:</p> <p>(a) The stewards or division judge enter a suspension of 60 days and refer the matter to the division with a recommendation for entry of an emergency suspension pursuant to Section 120.60(6), F.S., or an order of summary suspension pursuant to Section 550.2415(3)(c), F.S.; or</p> <p>(b) The stewards or division judge find after a hearing with notice to the party seeking the stay that the stay is being sought solely for the purpose of delaying a penalty.</p> <p>(3) The decision of the stewards/judge shall be in writing and shall be transmitted to the division and the parties within five days from the date the request for stay is received by the stewards/judge.</p> <p>(4) If the stewards/judge deny the request for a stay or do not issue a written decision as required under subsection (3), the party is entitled to seek a stay from the <b>division</b>. After reviewing the decision of the stewards or division judge, the request for stay, and the record, the division shall grant or deny the stay.</p>

<b>Idaho</b> http://adminrules.idaho.gov/rules/current/11/index.html#Racing%20	11.04.04 203.	The <b>Executive Director</b> may grant a stay for cause.
<b>Illinois</b> www.state.il.us/agency/irb/	Not found	
<b>Indiana</b> www.in.gov/legislative/iac/title71.html	71 IAC 10-2-10 (d)	On a finding of good cause, the <b>commission</b> may grant the stay. ...
<b>Iowa</b> www.state.ia.us/irgc/Content.htm#top	491 - 4.45(17A) 4.45(1) a.	Any party to a contested case proceeding may petition the commission for a stay of an order issued in that proceeding or for other temporary remedies, pending review by the commission. The petition for a stay shall be filed with the notice of appeal and shall state the reasons justifying a stay or other temporary remedy. The <b>administrator</b> may rule on the stay or authorize the presiding officer to do so.
<b>Kansas</b> http://krgc.ks.gov/index.php?id=25	Not found	
<b>Kentucky</b> http://www.lrc.ky.gov/kar/TITLE810.HTM	Not found	
<b>Louisiana</b> http://horseracing.la.gov/rules.html	§8301 A.	Any person penalized or disciplined by the stewards may apply to the commission for a <b>suspensive appeal staying the effects</b> of the stewards' action pending disposition of such appeal by the commission. All appeals must be filed in writing at the office of the commission within five days of the date of the penalty or imposition of the discipline.
<b>Maryland</b> www.dsd.state.md.us/comar/subtitle_chapters/09_Chapters.aspx#Subtitle10	09.10.04.06 B.	The <b>Commission</b> may, in its discretion: (1) Grant a stay of an order of the stewards or judges pending a hearing before the Commission; or
<b>Massachusetts</b> http://www.mass.gov/ocabr/government/oca-agencies/src-lp/rules-and-regs-src/	Not found	
<b>Michigan</b> http://www.michigan.gov/mgcb/0,1607,7-120-57232_57204_57205---,00.html	R 431.1235 (2)	A licensee may apply to the <b>commissioner</b> for a stay of disciplinary action imposed by the stewards pending disposition of such appeal by the commissioner.
<b>Minnesota</b> http://www.mrc.state.mn.us/Racing/default.html	7897.0150 Subp. 5.	An appeal of a stewards' decision will not automatically stay the decision. A party may request the director to stay the decision. The <b>director</b> may order a stay unless he or she determines that a stay would adversely affect the public welfare.
<b>Montana</b> www.mtrules.org/gateway/ChapterHome.asp?Chapter=32.28	32.28.207 (1)	Either the applicable <b>board of stewards or the board of horse racing</b> may stay the imposition of a fine, license suspension and/or other penalty that results from a summary hearing conducted by the stewards with respect to violations of the rules of the board and the Montana Code Annotated.
<b>Nebraska</b> www.horseracing.state.ne.us/	7.001.01F	An appeal from a decision of a racing official to the Commission shall not affect such decision until the appeal has been acted upon by the Commission unless otherwise ordered by a <b>court of competent jurisdiction</b> ...
<b>Nevada</b> http://gaming.nv.gov/index.aspx?page=51	Not found	
<b>New Jersey</b>	////////////////	////////////////////////////////////
<b>New Mexico</b> http://nmrc.state.nm.us/dyn/rules_reg_00.html	Title 15 Chpt 2 Part 1 15.2.1.9 B. (10)(d)	On finding of good cause, the <b>agency director</b> may grant the stay. ...
<b>New York</b> www.racing.state.ny.us/racing/racing.home.htm	Not found	
<b>North Dakota</b> www.legis.nd.gov/information/acdata/html/Title69.5.html	69.5-01-03-09 1.	Any licensee aggrieved by the imposition by the stewards of any fee or suspension may appeal to the commission. Appeals must be in writing, filed with the commission within fourteen days of the stewards' order. The stewards shall, in that event, forward to the commission their charges and evidence for an administrative hearing (de novo) by the commission upon all of the evidence pursuant to North Dakota Century Code chapter 28-32. No appeal from a stewards' order to the commission shall stay or supersede the penalty imposed by the stewards unless the <b>commission</b> shall order, in writing, a stay of the penalty
<b>Ohio</b> http://codes.ohio.gov/oac/3769	3769-5-99 (A) *	Any fine or suspension may be appealed to the commission. Such appeal shall stay the fine or suspension until further action by the commission.

<p><b>Oklahoma</b> <a href="http://www.ohrc.org/rulesonline.html">www.ohrc.org/rulesonline.html</a></p>	<p>325:70-1-27. (a)</p>	<p>The <b>Executive Director</b> may, upon consultation with and the direction of a minimum of three <b>Commissioners</b>, issue or deny a temporary stay order to stay execution of any ruling, Order, or decision of the Stewards except Stewards' decisions regarding disqualifications for interference during the running of a race.</p>
<p><b>Oregon</b> <a href="http://arcweb.sos.state.or.us/rules/OARS_400/OAR_462/462_tofc.html">http://arcweb.sos.state.or.us/rules/OARS_400/OAR_462/462_tofc.html</a></p>	<p>462-130-0050 (3)</p>	<p>At the time a licensee submits a written appeal to the commission, the licensee may request in writing that the commission stay the effective date of any penalty or sanction imposed by the stewards. The request should state any good cause that supports the request. The <b>executive director</b> or commissioner in the absence of the executive director may, in his/her discretion, grant the stay for good cause shown.</p>
<p><b>Pennsylvania</b> <a href="http://www.pacode.com/secure/data/058/partIVtoc.html">http://www.pacode.com/secure/data/058/partIVtoc.html</a></p>	<p>Not found</p>	
<p><b>South Dakota</b> <a href="http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=20:04">http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=20:04</a></p>	<p>20:04:01:15 (6)</p>	<p>An appeal from the order of the stewards or racing judges which imposes a fine or suspension pursuant to SDCL 42-7-96 may be made to the commission only and not the circuit court. It <b>shall operate as a stay</b> of all proceedings until the commission makes its decision;</p>
<p><b>Texas</b> <a href="http://www.txrc.state.tx.us/laws/racing_rules.php">www.txrc.state.tx.us/laws/racing_rules.php</a></p>	<p>Title 16 Part 8 Chapter 307 Subchapter C Rule §307.68 (a)</p>	<p>Contemporaneously with filing an appeal from a stewards' or judges' ruling, a licensee whose license is suspended by the ruling may request a stay of the suspension. The <b>executive secretary</b> may grant a stay of the suspension if the executive secretary determines granting the stay is in the interest of justice. The executive secretary may set the term of the stay and may extend a stay if circumstances warrant.</p>
<p><b>Virginia</b> <a href="http://www.vrc.virginia.gov/racingrules.shtml">www.vrc.virginia.gov/racingrules.shtml</a></p>	<p>11VAC10-90-10.</p>	<p>... At the written request of an aggrieved party, a stay may be granted by the <b>chairman of the commission or a commissioner designated</b> by the chairman. Such request shall be acted upon within 72 hours of the delivery of the written request to the executive secretary. Any granting or denial of a stay shall be <b>effective until the next regularly scheduled meeting of the commission</b> at which time the granting or denial or <b>further stay shall be decided by the commission.</b></p>
<p><b>Washington</b> <a href="http://www.whrc.wa.gov/?page=400">www.whrc.wa.gov/?page=400</a></p>	<p>WAC 260-24-510 (3) (k), (l) and (m)</p>	<p>(k) Penalties imposed by the stewards, except for those penalties in (l), (m), and (q) of this subsection, <b>will be stayed if a request for hearing</b> before the commission is filed within the seven days of service of the ruling, or seventy-two hours in the case of riding violations.</p> <p>(l) If the stewards determine that a person's actions constitute an immediate and/or substantial danger to human and/or equine health, safety, or welfare, and a request for hearing before the commission is filed within seven days of service of the ruling, no stay will be granted except by a hearing before the commission. The hearing before the commission will occur within thirty days of filing the request for hearing before the commission.</p> <p>(m) If the stewards deny an application for license or suspend or revoke an existing license for any reasons listed in WAC 260-36-120(2), and a request for hearing before the commission is filed within seven days of service of the ruling, no stay will be granted except by a hearing before the commission. A hearing before the commission over whether or not to grant a stay will occur at the discretion of the commission.</p>
<p><b>West Virginia</b> <a href="http://www.wvracingcommission.com/wvrc_010.htm">www.wvracingcommission.com/wvrc_010.htm</a></p>	<p>§178-6-3 3.11.d</p>	<p>The granting of a stay is an extraordinary remedy. The <b>Racing Commission or the member of the Racing Commission designated</b> to rule upon stay requests may grant or deny a stay request after considering and balancing the following factors.</p>
<p><b>Wyoming</b> <a href="http://parimutuel.state.wy.us/Rules.aspx">http://parimutuel.state.wy.us/Rules.aspx</a></p>	<p>CHAPTER III SECTION 6. (k) (viii) (C)</p>	<p>The <b>Hearing Officer, with the consent of the Commission</b> shall determine whether good cause has been shown for a supersedeas (stay) of the Stewards' order or ruling. The Hearing Officer may require, as a condition of granting supersedeas, that the licensee appealing agree to a hearing upon short notice and specifically waive his right to ten (10) days notice of hearing.</p>
<p>* Each chapter/section of the Ohio rules has the same language</p>		

Seven jurisdictions have rules that give the Executive Director, or the equivalent position, authority to grant or deny stays.
Two jurisdictions have rules that give the Executive Director after consultation with one or more commissioners the authority to grant or deny stays
Seven jurisdictions have rules that give the commission or designated commissioners authority to grant or deny stays
Two jurisdictions allow the stewards to grant stays or the Board (MT); or the Division (FL) to grant or deny if the stewards deny or enter an order with certain conditions.
One jurisdiction rules require stays to be granted only by a court of competent jurisdiction.
Three jurisdictions have rules that state that a stay of the stewards' order is automatic if the matter is appealed to the commission
One jurisdiction has rules for the Hearings Officer with the consent of the Commission to grant or deny stays
In nine jurisdictions a rule dealing with who could grant stays were not found