

Santa Anita sues California AG over seized HHR machines

By **Jessica Welman** - January 21, 2026



Image: Shutterstock / Cheryl Ann Quigley

Santa Anita Racetrack is fighting back against the **seizure** by the **California Department of Justice** of 26 historical horse racing (HHR) machines over the weekend. The racetrack filed suit in **Los Angeles County Superior Court** against Attorney General **Rob Bonta** and his office, alleging that the seizure was unconstitutional and that the machines are legal.

The suit asks the court to declare the machines constitutional, confirm that the wagers powering the machines are legal for both live and historic races and to issue injunctive relief to ensure the California DOJ returns the machines before their planned destruction.

Racing on Demand machines were live for two days

Santa Anita first installed the **Racing on Demand** machines on Jan. 15, notifying the **California Horse Racing Board** (CHRB) in writing the same day. However, according to court documents, the track met with the CHRB and representatives from Gov. **Gavin Newsom's** office in the months leading up to installing the machines.

Santa Anita specifically noted a Nov. 25 meeting with key members of the CHRB last year, including Executive Director **Scott Chaney**. During that meeting, they discussed the Racing on Demand machines' utilization of a specific wager, the 3x3, which determines parimutuel payouts based on the finishing position of nine horses across three historic races. The machine allows users to consider the handicapping of their choices before wagering.



Image from Los Angeles Turf Club vs. Bonta lawsuit

The suit also said Santa Anita representatives met with the CHRB on Dec. 11 and Dec. 21 as well to discuss the machines. According to the claim, at no point did anyone from the organization voice any issues with the track's plans to move forward with the new tote machines.

3x3 wager has been used at Santa Anita since 2024

Santa Anita argued in its filing that, while this is a new tote terminal, the 3x3 wager is something they've been offering for the past 18 months that has been approved by CHRB. The track argued that these wagers only differ in that they are utilizing data from older races and that other features, including the presentation of odds and the quick pick function, are available on live racing wagers as well.

The track sent the legal opinion that it independently obtained, confirming these machines abide by all CHRB regulations and California laws, to both CHRB and Bonta's office. It received no response that suggested it was inaccurate.

CA legislative counsel opinion says HHR is legal

That legal opinion relied on a 2006 opinion from the **California Office of Legislative Counsel** that the California Constitution does not specify whether or not horse wagering must be done on a live racing event. The constitution defines a horse race as, "a contest amongst horses for a purse, stake or reward, contested at an authorized racing meet."

In addition to claiming that the machines are legal, Santa Anita alleges that the CA DOJ and **Arcadia Police's** raid and seizure of the machines was not constitutional. According to the filing, a total of 21 CA DOJ employees and two armed officers arrived at the facility for what they said was a surprise inspection.

When staffers asked for a warrant, the CA DOJ officials allegedly said a warrant was not necessary but could not offer a statute that the machines were violating. Santa Anita contended the seizure, conducted in view of customers, negatively impacted the business and questioned why Bonta's office would elect to search and seize as opposed to send a cease-and-desist notice.

Last year, Bonta's office issued a legal opinion that all forms of daily fantasy sports are illegal. To date, the AG's office has yet to take any enforcement action against DFS operators in the state, despite [claiming](#) in July that Bonta plans to do so.

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