



# Tony Evers

OFFICE OF THE GOVERNOR

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April 8, 2026

To the Honorable Members of the Assembly:

I am vetoing Assembly Bill 880 in its entirety.

This bill would prohibit certain property owners from bringing public or private nuisance actions against a "racing facility," as defined in the bill. Under the bill, a "racing facility" may not be found to be a public or private nuisance if the action is brought by a property owner who owns property within a five-mile radius of the racing facility, and the facility was constructed or in operation before the person bringing the action purchased, or made improvements, to their property. The prohibition would not apply if the racing facility makes a substantial and material expansion of operations that significantly increases the overall intensity of the facility's use. The bill would also prohibit political subdivisions from creating a private cause of action that is inconsistent with the bill's general limitation of nuisance actions against racing facilities.

While I support expanding and preserving the important tourism industry in our state, I am vetoing this bill in its entirety because I object to creating unfair and unnecessary hurdles for people pursuing legal avenues to vindicate the use and enjoyment of their land. As I have said before, I believe the presumption should be an open courthouse door to anyone seeking justice and an honest debate of the law of the land, and any immunity or deviation from that presumption should be tailored and finite.

I am also vetoing this bill because I object to removing control from local authorities and preempting their ability to pass ordinances with the interests of their community in mind. This bill removes the ability for local residents in municipalities throughout the state to engage in self-government by passing local ordinances related to nuisance actions involving racing facilities.

Respectfully submitted,

Tony Evers  
Governor